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IOWA AND THE FIRST NOMINATION OF ABRAHAM LINCOLN.

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The delegates from Iowa will go to Chicago to nominate a Presidential ticket—the strongest ticket possible—and to this end will be glad to listen to the suggestions of well informed friends at Washington or elsewhere, but they go unpledged, uncommitted, and fully at liberty to hear all suggestions and then to do what shall commend itself to their unfettered judgment as best for the cause. As it is in Iowa, so it will be elsewhere.—Horace Greeley (Feb. 8, 1860).¹

. . . the blot does not rest upon the history of the Union, that this [Lincoln's nomination] the most fate-pregnant decision which an American convention had ever to make, was brought about by blind chance in combination with base intriguers. Far from it. It was the conscious act of clear-sighted and self-sacrificing patriots to whom honor and gratitude in the fullest measure are due.—Von Holst (1892).²

I.

EXPECTATIONS AND THE MEAGRE MINUTES.

The average Iowan is wont to indulge in the presumption that Iowa's politicians and statesmen have always played prominent parts in our national affairs. While often expressed in language more exuberant and vasty than modesty or truth sanctions, the assumption is fairly well founded. In recent years no one will gainsay this State's prominence in our Federal councils. Fifty and sixty years ago the case was likewise. Iowa's chiefs commanded attention and exacted consideration in the conduct of the national government.

Mr. James G. Blaine in closing his characterization of the leaders of the Senate at Washington in the momentous session of 1850, says: "Dodge of Wisconsin and Dodge of Iowa, father and son, represented the Democracy of the remotest

(1) *New York Tribune*, Feb. 17, 1860.—Extract from letter dated at Mansfield, Ohio, written after making circuit of the Northwestern States.

(2) *Constitutional and Political History of the United States*, Vol. VII, p. 173.

outposts of the North-West. . . . At no time, before or since in the history of the Senate has its membership been so illustrious, its weight of character and ability so great."¹ Henry Dodge, father, was Iowa's first Governor *de facto* when the State was a part of Wisconsin (1836-38).² In the country at large Iowa was regarded as a stronghold of the democracy and her first Senators, A. C. Dodge and Geo. W. Jones, were considerable factors in the party councils of Presidents Pierce and Buchanan. Both men were given important diplomatic posts when the political revolution in Iowa enforced their retirement from the Senate, the former at Madrid and the latter at Bogota. At the National Democratic Convention in Charleston in 1860, the Douglas forces triumphed in the struggle over the platform and we are told that it was "skillfully accomplished under the lead of Henry B. Payne of Ohio and Benjamin Samuels of Iowa."³

In President Taylor's short-lived administration, an Iowan, Fitz Henry Warren of Burlington, acquired fame as Assistant Postmaster-General by his swift elimination of Democratic office-holders,⁴ and his resignation because of indignation over Fillmore's apostasy on the subject of slavery. Afterwards, in 1852, he became the Secretary of the National Executive Committee of the Whig party in the Pierce-Scott canvass.⁵ Later the pages of J. S. Pike show us that the brilliant flashes of Warren's pen made him a forceful factor in the determination of anti-slavery opinion and procedure.⁶ It was his clarion calls in 1861 that aroused the furore in the north against the inactivity of the new administration and forced the precipitate movement "On to Richmond" which ended in the disastrous rout at Bull Run.⁷

(1) Blaine's *Twenty Years of Congress*, Vol. 1, p. 90.

(2) Governor Robert Lucas, first Territorial Governor of Iowa, 1838-41, was the permanent chairman of the first National Democratic Convention, that met in Baltimore, May 21, 1832. See Parish's *Robert Lucas*, p. 111.

(3) Blaine, *Ibid.*, p. 162; McClure's *Our Presidents and How We Make them*, p. 167.

(4) Ben Perley Poore. *Reminiscences*, Vol. I, p. 355.

(5) *Annals of Iowa* (3d ser.), Vol. VI, p. 486.

(6) Pike's *First Blows of the Civil War*, pp. 483-4, 496; and Von Holst's Vol. VII, pp. 155, 157.

(7) Letters from Washington to *New York Tribune*; see Mr. E. H. Stiles, *Annals* *Ib.*, 487-490. It is not unlikely that President Lincoln's refusal to appoint him Postmaster-General, for which he was earnestly pushed by Iowans, made Warren's ink more acid than otherwise.

The triumph of James W. Grimes in 1854 made him a national figure. His election as Governor was a surprise to the entire country. This was not strange for Iowa was looked upon as a "hot-bed of dough faces,"¹ and the annals of the *ante bellum* period contain no clearer, stronger, or more courageous pronouncement against the aggressions of the Slavocrats than his address "To the People of Iowa" when he accepted the nomination for Governor.² His election was mostly his personal achievement and not the result, as it would be nowadays, of organization and widely concerted effort. Senator Chase of Ohio wrote the new champion that he had waged "the best battle for freedom yet fought."³ Giddings declared that he had made "the true issue" on which the battle had to be fought in the northern States.⁴ In the Senate from 1859 to 1869 he was distinguished "for iron will and sound judgment"⁵ and became, says Perley Poore "a tower of strength for the administration" in the crises of the war.⁶

Grimes's victory in 1854 sent James Harlan to the Senate in 1856. He, too, says a distinguished historian, immediately made his "mark."⁷ His speech on the Lecompton Constitution won Seward's admiration.⁸ The Republican Association at Washington printed and sold at a low price Senator Harlan's speeches along with those of Collamer, Hale, Seward and Henry Wilson.⁹ Harlan was a statesman the country reckoned with, Mr. Blaine telling us that he later became "one of Mr. Lincoln's most valued and most confidential friends and subsequently a member of his cabinet."¹⁰

No fact, in the writer's judgment, indicates more strikingly the potency of Iowa's influence at Washington fifty years ago than President Lincoln's appointment in the forepart of his first term of Samuel F. Miller as Associate Justice of the Supreme Court. He was endorsed strongly by Iowa's bench and bar and by others in States adjacent. The President, however, delayed making the appointment. Upon per-

(1) Von Holst, Vol. V, p. 78. (2) Salter's *Life of Grimes*, pp. 34-50. (3) *Ib.*, p. 54. (4) *Ib.*, p. 63. (5) Blaine, *Ib.*, p. 321. (6) Poore, *Ib.*, Vol. II, p. 100. (7) Rhodes' *History of U. S.*, Vol. II, p. 130. (8) Pike's *First Blows*, etc., p. 417. (9) Rhodes, *Ib.*, p. 131. (10) Blaine, *Ib.*, p. 321.

sonal inquiry, Mr. John A. Kasson, then Assistant Postmaster-General, learned that the reputation of the Keokuk lawyer "had not then even extended so far as to Springfield, Illinois" (a distance but little over one hundred miles).¹ Nevertheless the appointment was made and Justice Miller became almost immediately the "dominant personality" of our great court.² The significance of his elevation is this—President Lincoln was not a petty spoilsman and he had no special fondness for the office monger; but he was a politician *par excellence*. He made appointments with an eye single to the public good, which was then the preservation of the Union, yet he always gave close attention to the influence of the Potentialities back of the aspirants for office who pressed their claims upon him.³ Government is not a philosophical abstraction or an academic thesis. It is a constantly shifting balance of contrary and divergent forces and interests. It was essential to success in combating the nation's enemies at the front for the President so to co-ordinate factors and control conditions behind him as to assure him at once non-interference and efficient support. Justice Miller's appointment must have appeared to President Lincoln not only creditable and safe, but eminently worth while, insuring strength upon the bench and influential support for his administration, both in Congress and in Iowa. Besides consideration of the influence of Iowa's leaders we should naturally presume that recollections of the prominent part taken by Iowans on his behalf in the Convention that first nominated him for the Presidency played no small part in deciding President Lincoln to select the then but little known jurist of Keokuk.

This presumption, however, is apparently upset if the curious make casual inquiry. There is nothing whatever in the record of the proceedings of the Convention showing that Iowa did anything for any candidate worthy of special note or remembrance. One of Iowa's delegates moved an amendment to a motion to thank Chicago's Board of Trade for an invi-

(1) Mr. John A. Kasson to Charles Aldrich—letter dated Washington, D. C., Nov. 10, 1893. See *Annals*, Vol. I, p. 252. (2) Characterization of Chief Justice Chase quoted in *Annals*, *Ib.*, p. 247. (3) See Mr. Horace White's introduction to Herndon & Weik's *Lincoln*, Vol. I, p. XXII.

tation to an excursion on Lake Michigan.¹ Another delegate secured an amendment allowing each State to choose its member of the National Committee as it pleased.² When the Committee on Credentials reported that Iowa had "appointed eight delegates from each Congressional district [Iowa had only two] and sixteen Senatorial delegates," when entitled to but eight votes, the minutes record "[laughter]."³ In the entire proceedings of the Convention, Iowa is credited with but one significant performance and that was manifestly either a blunder due to excitement or a play to the galleries—A delegate elicited "great applause" by seconding the nomination of Abraham Lincoln "in the name of two-thirds of the delegation of Iowa."⁴ Yet, on the first ballot immediately following, Iowa gave Lincoln only two votes, or one-fourth of her quota; and on the third ballot even when it was clear that the candidate of Illinois was almost certain to be nominated Iowa gave over a third of her vote to other candidates.⁵ After Mr. Cartter of Ohio changed four of Chase's votes to Lincoln and decided the result then a delegate from Iowa joined the chorus and on behalf of the delegation moved to make it unanimous.⁶ But there is nothing in all this that denotes conspicuous achievement or influence, neither staunch service nor effective generalship such as politicians exact.

If we turn to formal histories or accounts of national currency or general use our presumption is further seriously disturbed. Iowa's influence in the nomination seems to have been conspicuous chiefly by its absence. There are no references to Iowans whatever in scores of volumes relating the events of the convention week. One would almost imagine that Iowa's men were not present at all. In practically but one case has the writer found mention of Iowa's influence in a favorable connection and even here the assertion is disputed. In two other instances distinguished national historians refer to her representatives in Chicago in derogatory terms that

(1) *Proceedings of the First Three Republican National Conventions of 1856, 1860, 1864*, published by Charles W. Johnson, p. 91. (2) *Ib.*, p. 107. (3) *Ib.*, p. 110. (4) *Ib.*, p. 149. (5) *Ib.*, pp. 149, 153. (6) *Ib.*, p. 154.

seem to imply conduct not worthy of commendation or respect.

In spite of appearances thus to the contrary there are substantial reasons for thinking that men from Iowa played an influential part in bringing the Convention to what Von Holst declares was "the most fate-pregnant decision which an American Convention ever had to make," verifying precisely Horace Greeley's prediction three months before, to-wit, "As it is in Iowa, so it will be elsewhere." In what follows I shall deal with the animadversions referred to and then exhibit the growth of Republican sentiment in Iowa regarding the Presidential nomination, the character of Iowa's delegates, and the nature of their work in the Convention.

II.

DID CLANS OR CHIEFS CONTROL THE CONVENTION?

Notwithstanding Professor Von Holst's conclusive demonstration to the contrary¹ there still prevails a widespread notion that the first nomination of Abraham Lincoln was received by the country at large with surprise and shock, a consummation believed to be the issue of either cabals and machinations against New York's candidate or the irrational overwhelming influence of a shouting, surging mob round about the delegates, or of both combined. This notion is not a common popular prejudice merely, but the deliberate conclusion of academic chroniclers and savants.² In a general way Mr. James Ford Rhodes seems to agree with Von Holst's presentation of the major facts and their interpretation, us-

(1) Von Holst, *History*, Vol. VII, pp. 149-186. (2) Judge J. V. Quarles in *Putnam's Monthly*, Vol. II, p. 59 (April, 1907), says that the nomination was a "tremendous surprise"; Admiral French E. Chadwick in *Causes of the Civil War, 1859-1861* (Amer. Nation: A History, Prof. A. B. Hart, editor, Vol 19, 1906), says "the result was a shock of surprise to the country at large," p. 119; Dr. Guy Carlton Lee in *The True History of the Civil War* (1903), says: "The nomination was received with a shock of surprise by the country," and he adds Wendell Phillips' harsh exclamation in *The Liberator*, "Who is this huckster in politics?" Goldwin Smith in *The United States* (1893), p. 241, says: "But it was mainly to cabal against Seward that Lincoln owed the Republican nomination"; Professor Alex. Johnston says: "Much of the opposition to Seward came from the mysterious ramifications of factions in New York." Lator's *Cyclopedia of Political and Social Science* (1882), reprinted in his *Amer. Political History*, [edited by Professor J. C. Woodburn, 1906], Vol. II, p. 212.

ing the same or similar evidence. But the sweep and implications of his assertions give color and substance to the general opinion. In his account of the conditions precedent and determining the developments and results during the Convention week, May 14-18, 1860, Mr. Rhodes makes the following statements in his *History of the United States*, Vol. II:

Contrasting the Republican National Conventions of 1856 and 1860, he says: * * * then [1856] the wire pullers looked askance at a movement whose success was problematical, now [1860] they hastened to identify themselves with a party that apparently had the game in its own hands; then the delegates were liberty-loving enthusiasts and largely volunteers, now the delegates had been chosen by means of the organization peculiar to a powerful party, and in political wisdom were the pick of the Republicans (p. 457).

Seward's claim for the nomination was strong. * * * Intensely anxious for the nomination, and confidently expecting it, he was alike the choice of the politicians and the people. Could a popular vote on the subject have been taken, the majority in the Republican States would have been overwhelmingly in his favor. One day at Chicago sufficed to demonstrate that he had the support of the machine politicians (p. 460).

While much of the outside volunteer attendance from New York and Michigan favoring Seward was weighty in character as well as imposing in number, the organized body of rough fellows from New York City, under the lead of Tom Hyer, a noted bruiser, made a great deal of noise without helping his cause. * * * All the outside pressure was for Seward or Lincoln, there being practically none for the other candidates. While many of Seward's followers were disinterested and sincere, others betrayed unmistakably the influence of the machine. *Lincoln's adherents were men from Illinois, Indiana, and Iowa, who had come to Chicago bent on having a good time and seeing the rail-splitter nominated, and while traces of organization might be detected among them, it was such organization as may be seen in a mob* (pp. 462-463). (Italics here.)

Several important facts are clearly asserted in the foregoing and some serious implications are no less apparent. First, politicians and wire pullers rather than earnest self-sacrificing patriots made up the dominant forces of the Chicago Convention of 1860. Second, Seward was the choice of the politicians and people alike. Third, honesty or sincerity was for the most part lacking among the rank and file of Seward's followers at Chicago; fourth, earnestness or serious purpose was notably absent from the followers of Mr.

Lincoln. By "adherents" he apparently refers chiefly to the "volunteer outside influence," namely, unofficial attendants, rather than to accredited delegates. Yet the comprehensiveness and variable sweep of portions of previous paragraphs suggest that a first impression that delegates were also included is not unwarranted. And, fifth, Mr. Rhodes would have us conclude, we may infer, that Lincoln's nomination was an amazing conclusion resulting from the variable but coercive suggestions of a dominant organized mob. It is but fair to say, however, that Mr. Rhodes seems to shrink from this last conclusion, for later he says: "One wonders if those wise and experienced delegates¹ interpreted this manipulated noise as the voice of the people" (p. 468).

Since Edmund Burke confessed his inability to discover "a method of drawing up an indictment against a whole people," scholars and scientists have not deemed it appropriate or safe to condemn institutions, parties or governments, let alone peoples *en bloc*. Mr. Rhodes is not a pseudo-historian who imagines that cynical contempt for the commonality is a solid basis for historical scholarship; and he does not proceed on the assumption that all men in politics are scamps or scoundrels, although he squints occasionally in that direction. He has deserved renown as a scientific historian who depends upon extensive and minute researches and basic facts, whose narrative is characterized by judicial balance and impartiality, by caution and sobriety of statement. Common prudence makes one hesitate to question his assertions or conclusions. Nevertheless several queries are pertinent which are not wholly academic for there are scores, probably hundreds of men still living, men of eminence in letters and politics in many cases, who took part in that conclave at Chicago. I shall not here undertake to discuss all the phases of the assertions referred to except indirectly as they affect the character or conduct of Iowa's representatives at the Convention.

(1) Enlarging upon Blaine's notation (*Twenty Years of Congress*, Vol. I, p. 164), Mr. Rhodes gives a list of some of "the many noted men, or men who afterwards became so," mentioning e. g. E. H. Rollins (N. H.), John A. Andrews, George S. Boutwell, E. L. Pierce (Mass.), Gideon Wells, William M. Evarts and George W. Curtis, David Wilmot and Thaddeus Stevens, Francis P. and Montgomery Blair, Carl Schurz, "John A. Kasson of Iowa," p. 469.

We may take the statements involving the character and conduct of the Iowans in one of two ways. Either the writer meant all that the paragraph implies or he did not mean to be taken strictly. In either case we may ask if character and sincerity were confined conspicuously to the unofficial Seward supporters hailing from New York and Michigan and hence his discrimination of them in the forefront of the paragraph whence the quotation. There were ardent admirers of the statesman of Auburn from Iowa as well as from Massachusetts who mingled in the throngs that surged the lobbies of the Tremont and Richmond Hotels; such men as Fitz Henry Warren of Burlington and Samuel A. Bowles of *The Springfield Republican*. Men of like character and local fame by scores and hundreds were with them from the same States and from Wisconsin and Minnesota, and other States as well; men who worked just as earnestly for Senator Seward and felt the bitter disappointment of his defeat as keenly as did his followers from Michigan and New York. Seward sentiment in Iowa, as will be shown in some detail later, was intense, staunch and wide-spread and when the news of his non-success came his partisans in many a community almost wept in grief and vexation and gloom held them for awhile.¹

Another implication that seems to be necessarily involved in the discrimination made in the citation under review is that there was an utter absence of weighty character and sincerity among the "outside volunteer" followers of other candidates. Such a conclusion doubtless was not contemplated nor desired perhaps. If so, it may seem unkind to take the statement in all its rigor, but words are rather flinty substances and if thrown recklessly and they strike, hurt and mar. Such a construction is not a captious inference. The

(1) Hon. W. G. Donnan, a Representative of Iowa in the Forty-Second and Forty-third Congresses (1871-75), was born and educated in New York. He came to Iowa in 1856. In 1860 (as now), he resided at Independence, and was a strong admirer of Seward. In a letter to the writer (February 4, 1907), he says: "Went over from Union College, where I was then a student, and heard Seward's great speech, organizing the Republican party. Could have wept when 'the Great New Yorker' failed of the nomination. How fortunate for the country and the party that Lincoln was made the nominee."

uninformed or indiscriminating reader usually rests with first impressions and the impression made is not favorable to the people and representatives of other States. In these halcyon days we are used to wholesale indictments of public men and political conventions in our partisan press and periodicals that retail the "literature of exposure;" but we do not expect them from scholars who work in the clear, cool air and the dry, white light of a library.

But what is the significance and what is the justification of the assertion that "Lincoln's adherents were men from Illinois, Indiana and Iowa who had come to Chicago bent on having a good time?" Why such a discrimination? Were the admirers and promoters of the "Rail-Splitter" more inclined to that sort of thing than the crowds that shouted for "Old Irrepressible?" What is meant by a "good time," harmless diversion or reprehensible license?

With pious and proper persons a good time implies nothing more serious than an excursion or picnic with its mild ecstasies and hysterics. No doubt hundreds and thousands, when they joined the throngs bound for Chicago, thought only of the cheap rates and seeing the crowds and "the sights" of the city. Among gay lords and certain politicians, however, a good time signifies often, if not generally, fun and frolic that begins with huge fuss and noise and reckless abandon that, unless curbed, rapidly runs the leeways into riot and carousal. If the latter is meant is there any special reason to suppose that Lincoln's adherents had a greater predisposition in that direction than the workers for Seward from the same States or from other States!

Mr. Rhodes is usually careful to give his authorities, chapter and verse, for his important assertions. He cites accounts of several participants in the Convention, Messrs. Greeley, Welles and Halstead for statements in the first part of the paragraph, but there is none given upon the point here referred to. Their reports, however, do not seem to warrant any such differentiation. If we are to believe Mr. Halstead's particular and synchronous account there were few if any States whose representatives were not largely given to noisy demonstration, intemperance and rowdyism. If any State achieved

sorry pre-eminence in this respect it was New York and not any western State.¹

If the truth, and nothing but the truth, should be told in its painful particulars anent this common phase of political conventions some excerpts from Halstead's racy narrative should have been reproduced. On board the train carrying easterners to Chicago, including New Englanders probably, New Yorkers, Pennsylvanians and Ohioans certainly, he found a degree of intoxication that was "much greater" than that he witnessed on trains entering Charleston at the Democratic convention a few weeks before. The number of "private bottles" was "something surprising;" and "our Western Reserve was thrown into prayers and perspiration last night by some New Yorkers who were singing songs not found in hymn books." As to conditions in Chicago he avers: "I do not feel competent to state the precise proportions of those who are drunk and those who are sober. There are a large number of both classes; and the drunken are of course the most conspicuous and according to the principle of the numerical force of the black sheep in a flock the most multitudinous."² He was compelled to sleep in a room in his hotel that was full of revellers in a state of "glorious" exhilaration "o'er all the ills of life victorious;" and "irrepressible" until a late hour. In the morning he was aroused by the "vehement debate" of a galaxy of volunteers or delegates sitting up in bed "playing cards to see who would pay for gin cocktails all around, the cocktails being considered an indispensable preliminary to breakfast."³ He does not inform us whether those assiduous patriots were adherents of Bates or Chase, Seward or Lincoln. Another paragraph written later may indicate: "The New Yorkers here are of a class unknown to western Republican politicians. They can drink as much whisky, swear as loud and long, sing as bad songs and 'get up and howl' as ferociously as any crowd of Democrats you ever heard or heard of."⁴

All of which, if true, only makes for tears. But the fact is

(1) Halstead's *Conventions of 1860*, p. 121: See also Carl Schurz's *Reminiscences of a Long Life*, *McClure's Magazine*, Vol. XXVIII, p. 413. (February, 1907).

(2) Halstead, p. 121

(3) *Ib.*, p. 122. (4) *Ib.*, p. 146

utterly fallacious if it suggests the conclusion that such men numerically predominated in the Chicago Convention or that noise and the maudlin influence and inanities of hysterical and intoxicated men chiefly controlled the deliberations or decisions of the duly accredited representatives of the Republican party into whose hands the freemen of the north had committed a great cause. The people everywhere throughout the north were conscious that the Convention held the Nation's fate in its hands. Old party lines had fast disappeared. One common cause, one common fear lest slavery should engulf them, made partisans forget their differences and unite. They knew that fortune was with the Republicans if wisdom controlled their councils. Lincoln's searching questions at Freeport in 1858 and Douglas' fatal answer "no matter what may be the decision of the Supreme Court" had split the Democracy in twain at Charleston.¹ The people of the north with common impulse journeyed to Chicago because they were certain as were the yeoman and gentry journeying to Naseby that a spectacle was to be witnessed—their leaders and their cohorts in contention for championship and the right to lead the Lord's hosts against a common foe. As to the character and conduct of the throngs and contestants the reports of two eye-witnesses may suffice. Writing home to his paper *The Guardian* (May 16) Mr. Jacob Rich, then of Independence, one of Iowa's most forceful editors in those days and later a Warwick himself in our politics said:

It is a matter of universal comment that if the whole country had been methodically picked over, there could scarcely have been procured a concourse containing the same amount of ability and respectability as is manifested by the immense crowd in attendance on the Convention. The great mass of the men on the platform as delegates are men of age, of experience, of reputation, of judgment. Gray heads and bald heads are in the ascendant which bespeaks for the action of the Convention calmness and deliberation. In fact, inside and outside there seems to be less of boisterous enthusiasm than earnest, thoughtful action—fewer ebullitions of zeal than exhibitions of determination and confidence. Still, livelier demonstrations are not wanting.

(1) On his train going to Charleston, Mr. Halstead says: "The Mississippians have the Freeport speech of Douglas with them and intend to bombard him in the Convention with ammunition drawn from it." *Ib.*, p. 6.

Mr. Rich was young then and perhaps prejudiced as young men sometimes are, and he may not have estimated correctly, but the late Carl Schurz, who always saw clearly and spoke his mind, essentially agrees with his conclusions. Reviewing in the evening of his life the events of his great career Mr. Schurz says of that Convention in which he took no small part:

The members of the Convention and the thousands of spectators assembled in the great Wigwam presented a grand and inspiring sight. It was a free people met to consult upon their policy and to choose their chief. To me it was like the fulfillment of all the dreams of my youth.¹

There is another assumption or implication in the narrative quoted above that is common in the majority of accounts of the Chicago Convention, namely, that the crowds in the city at the time consisted chiefly of the friends of the "Rail-Splitter." New York's candidate had his workers to be sure, but they were, so to speak, mostly organized troops or regulars, bands and marching clubs, e. g., Gilmore's band from Massachusetts and Tom Hyer's contingent from New York, whereas the militia, the masses, the crowds, "the mob" that surged the hotel lobbies and the streets were the plain people who had come to Chicago to work for Honest Abe.

It is difficult to reconcile this common notion with ante-

(1) *McClure's Magazine*, Ib., p. 416.

Besides Fitz Henry Warren, Mr. Jacob Rich, and Governor S. J. Kirkwood mentioned above, Iowa's volunteer attendance at the Chicago convention included among others—Mr. James B. Howell, then editor of *The Gate City* of Keokuk and later U. S. Senator from Iowa; Mr. James B. Weaver of Bloomfield, soon afterward Brevetted Brig. General for distinguished gallantry at Ft. Donelson, Shiloh and Corinth, who represented Iowa several times in Congress, and in 1880 and 1896 was a nominee of a national party for the Presidency receiving, in 1896, 1,042,531 votes and 22 ballots in the Electoral College; Mr. James Thornton, of Davenport, a member of Congress from Iowa 1855-57; Mr. Hiram Price also of Davenport who represented Iowa for eight years in Congress; Judge John F. Dillon, likewise of Davenport, then a judge of the district court, afterwards Chief Justice of Iowa, U. S. Circuit Judge 1869-79, Professor in Columbia Law School, distinguished writer on legal subjects—the author of a classic on *Municipal Corporations* and an inspiring treatise on the *Laws and Jurisprudence of England and the United States*; Mr. Amos N. Currier, then instructor in Central University of Pella, who a few days since retired from active service as Dean of the College of Liberal Arts of the State University of Iowa; Mr. F. W. Palmer then of Dubuque, who had served two terms in the legislature of New York and who later represented Iowa for two sessions in Congress 1869-1873, and later editor of *The Inter Ocean* of Chicago.

cedent probabilities resting on sundry facts that were notorious at the time and that are obvious in nearly every account of the Convention extant. Historians and biographers of the chief candidates all declare with little or no qualification that the country at large expected Mr. Seward's nomination. Most of them assert that the country was "shocked" at least "surprised" at his defeat. Col. A. K. McClure has always maintained that "two-thirds of the delegates" wanted to vote for Seward.¹ Being in a large sense direct representatives of local sentiment in their several States is it probable that the crowds which poured into Chicago along with them from all points of the compass to cheer and support their delegates were contrary minded! Lawyers would pronounce this notion a violent presumption.

Outside of the delegates who finally voted for Lincoln all the visitors from New England, excepting probably Connecticut, were almost certainly friends of Seward. New York's contingent, excepting the few following the lead of Greeley and Dudley Field, was all for Weed and Seward. So it must have been with the crowds that poured in from Michigan, Wisconsin, and Minnesota. "Bleeding Kansas" was staunch for their champion in the Senate. Northern Indiana and Illinois were both strongly tinctured with Sewardism, those sections having been settled largely by New Englanders and New Yorkers, the leaders of both delegations from those States having hard work to hold some of the delegates from breaking away.²

Three-fourths of Iowa's Republicans probably went to Chicago desiring and expecting Seward's nomination because such was the hope in the strongly Republican communities of Iowa. Down in Lee county round about Keokuk a "perfect revolution in sentiment" in favor of Seward took place between March 15-30. His Senate speech (March 1) says an Iowan's letter quoted in *The Tribune*, March 30, "seems to have set our

(1) Leonard Swett's Letter to Joshua H. Drummond, May 27, 1860, partially printed in Oldroyd's *Lincoln's Campaign*, p. 71; McClure's *Lincoln and War Times*, p. 28; *Our Presidents and How We Make Them*, p. 155; and a letter to the writer, May 6, 1907. (2) Authority for statement as to Indiana, a letter of Col. A. C. Voris, of Bedford, Ind., (one of her delegates) to the writer, May 3, 1907.

prairies on fire with Republican enthusiasm for him and his teachings."¹ Writing Governor Kirkwood May 13, three days before the delegates convened in Chicago, Eliphalet Price, of Elkader, in northeast Iowa, a keen and earnest Republican, declared "that nine-tenths of the Republicans north prefer Seward there can be no doubt." Out in then remote Sioux City the Republicans "expected" Seward's nomination at Chicago.² When the news reached Sioux City "a feeling of incredulity and disappointment," says *The Times*, May 25, "prevailed at first. Here where party ties are weak and party lines loose most Republicans favored the nomination of Bates and Hickman. Seward had some admirers."

New Jersey, Pennsylvania and Ohio, Maryland and Missouri, certainly did not send Lincoln delegations or crowds to Chicago. Connecticut sent a Bates delegation. So did Indiana. Although neighbors it took three days' hard work on the part of Messrs. Davis, Judd, Logan, Palmer and Swett to persuade Indiana's delegates to abandon Bates and go to Lincoln. It is true that all of the delegates of the States mentioned turned to Lincoln eventually, but that is another matter.

Reason and rhyme alike require us to expect that the crowds which played such a conspicuous role at the Convention were either predominantly for Seward or not *prima facie* for Lincoln. One fact makes it almost necessary to think so. Abraham Lincoln was not formally put in nomination for the Presidency by the Illinois Republicans until May 10, six days before the Convention was to assemble. His managers, as Mr. Blaine long ago observed, had "with sound discretion" kept his name back.³ A few papers of Illinois had advocated his nomination, but not with such vigor as to prevent the resolution instructing the delegates to work for his nomination being declared a "surprise" to the Decatur Convention itself.⁴ "Lincoln's own delegation from Illinois," says Colonel McClure, "embraced one-third of positive Seward men. They were instructed for Lincoln with no hope of his nomina-

¹ *New York Tribune* (semi-w.) March 30. ² Hon. E. H. Hubbard to writer, April 22, 1907. The writer is indebted to Mr. J. C. C. Hoskins of Sioux City for the extract from the *Sioux City Times*. ³ Blaine's *Twenty Years*, p. 167. ⁴ *Ib.*, 168.

tion at the time.”¹ The mass of the people in northern Illinois and through the north—the general promiscuous population we call the “public”—who swarmed to Chicago were hardly alive to the fact that Abraham Lincoln was a candidate of high potential. Even after reaching the city the crowds could at first see few or no signs that would normally impel the miscellaneous and irresponsible elements that make up a convention crowd to join Lincoln’s cohorts with enthusiasm. Up until midnight preceding the nominations the chances were clearly in favor of Seward. Thursday midnight says Mr. Halstead “Greeley was terrified” and sent his celebrated dispatch conceding Seward’s victory and Mr. Halstead telegraphed *The Cincinnati Commercial* likewise.²

This discouragement of the anti-Seward men was no less decided among Lincoln’s adherents. Anxiety and depression among them were general and obvious. They slept scarcely at all, they were so fearful and active. Col. Alvin Saunders, Mr. Chas. C. Nourse and Gov. S. J. Kirkwood were probably the most influential Lincoln workers among the Iowans. “Early in the evening of the night before the nomination was to be made,” says Mr. Nourse, “I had gone up to my room to get some rest. I was fagged by the long strain of the day. The outlook for Lincoln was gloomy, indeed. I recall Saunders coming in. He was depressed and dubious about our chances of overcoming the New Yorkers. Kirkwood came in later. He was nervous and very uneasy and glum.”³ It was not until the small hours of the next morning that their hopes of success became energetic.

If these facts have any significance whatever they seem to compel the conclusion that in the forepart of the week at least and in all probability on Wednesday and Thursday the crowds or mobs were more inclined toward Seward than toward Lincoln. It can scarcely be doubted that the correspondent of *The New York Times* signing himself “Howard” was correct when on Monday night, May 14, he telegraphed

¹ McClure’s *Our Presidents*, p. 155; Leonard Swett says there were eight out of the twenty-two Illinois delegates favorable to Seward, Oldroyd, p. 71.

² Halstead, p. 141. ³ Interview with Hon. Chas. C. Nourse, Attorney-General of Iowa, 1861-1865, Des Moines, Iowa, April 26 and May 12, 1907.

that "Illinois alone works hard for Lincoln."¹ Commenting in 1883 on his grandfather's defeat (viz. Weed's), Greeley's defection and the fast flying rumors of a "break" in the New York delegation in consequence, Mr. Barnes says: "But streets and hotels were crowded with enthusiastic friends of Seward and even his opponents did not appear to believe that he could be defeated."² Seward's latest biographer declares that "excepting the applause received from residents of Chicago all the other candidates together had not popular support enough to equal the enthusiasm of the "irrepressibles."³

On Thursday the second day when the platform was adopted and the Seward men were confident and sought to secure a ballot before adjournment Mr. Halstead reported that "the cheering of the spectators during the day indicated that a very large share of the outside pressure was for Seward. There is something irresistible in the prestige of his name."⁴ And even on the third day when the crisis was culminating and all knew that the nominee was to be Lincoln or Seward, notwithstanding Lincoln's managers had shrewdly crowded the Wigwam with their shouters while Seward's phalanxes were parading the streets, the same authority, describing the scene following the mention of Seward's name says, "Above, all around the galleries, hats and handkerchiefs were flying in the tempest together. The wonder of the thing was that Seward outside pressure should, so far from New York be so powerful."⁵ One of Lincoln's chief field managers, Leonard Swett, says that Seward's nomination in the Wigwam "was greeted with a deafening shout which, I confess, appalled us a little."⁶

¹ *New York Times*, May 15: Some may suspect this assertion because of the known prejudice of the management of *The Times* for Mr. Seward, Mr. Henry J. Raymond being Weed's first or second lieutenant at Chicago, but the impartiality of subsequent dispatches disarms such doubt.
² Barnes' *Weed*, Vol. II, p. 269. ³ Bancroft's *Seward*, Vol. II, pp. 531-532.

⁴ Halstead, p. 140. ⁵ *Ib.*, 145. Colonel McClure, who took part in the Convention scenes, seems to contradict Mr. Halstead in his *Our Presidents*, etc. (1900); he says: "As the ballots were announced, every vote for Lincoln was cheered to the echo while there were but few cheers for Seward except from the delegates themselves," p. 158. The two accounts are not reconcilable. ⁶ Oldroyd, p. 72.

If we are not seriously in error the glamour surrounding the memory of President Lincoln has produced a notable confusion in the explanations of his astonishing success at Chicago. Logicians define it as reasoning *post hoc ergo propter hoc*. Mr. Seward's nomination was expected; Mr. Lincoln's was not. Crowds were conspicuous at the Convention; nothing like their numbers or performances had ever before been witnessed. Popular feeling, excitement and uproar were phenomenal. But as one chronicler puts it, it was the unexpected that happened. When the clans and tribes assembled, keen-eyed chiefs soon perceived that the real contest lay between the candidates of Illinois and New York. The opponents of Seward in the doubtful States months previously had realized the necessity for his defeat. The chiefs of the clans had no sooner assembled than they discovered that Lincoln was the only man on whom all could concentrate. Later the crowds hailing from the States whence the leaders came began to respond to the appeals of their chiefs. Then the ground-swells of partisan enthusiasm began to run heavily in Lincoln's favor. By the time the balloting began the surge and the roar of the anti-Seward sentiment became portentous terrific, overwhelming. The result, however, was not *ergo propter hoc*. There was, of course, much of local fondness for Abraham Lincoln, there was perhaps somewhat (but little) of "the West versus the East." Engulfing and overmastering all was a Cause, its success and the Nation's safety.

Crowds and mobs, now and then, do exert a potent influence upon the decisions of deliberative bodies. But we utterly misconceive the nature of the result at Chicago if we conclude that the shouting throngs determined the votes of the delegates. The outcome was not the ordering of the clans and tribes clanging their spears and shields, but the decision of their chiefs in council. It was a battle of captains and not a plebiscite of the militia's rank and file. The clans and the ranks listened to the pleadings and protests of Greeley and Field of New York, of Curtin and McClure of Pennsylvania, of Welles of Connecticut and the Blairs of Maryland and Missouri, of Lane and DeFrees of Indiana, of Davis, Judd and Swett of Illinois, of Kirkwood and Saunders, Nourse and Wil-

son of Iowa, and their favor turned. Convinced soon that the champion of their choice could not triumph such chiefs and captains as Mr. John A. Kasson and Judge Reuben Noble, Mr. John W. Rankin and Mr. Wm. P. Hepburn, Mr. Coker F. Clarkson and Mr. William B. Allison concurred.

Their concert was not the prejudice of the crowd nor the changeable opinion of a mob. It was the conviction of men trained in the tactics and strategy of party strife—of men who knew that the People's Cause was not to be won merely by the recognition of a theory or the exaltation of a favorite champion, of men who knew that the imperative condition of success was the conquest of stubborn adverse conditions. They were not idealists or prophets simply, but practical politicians. They knew that victory perches upon the banners of the best organized and best led battalions. Sanguine anticipations and zeal are needed but are not enough. A study of maps and regions in dispute, a specific knowledge of the battle-fields and a certain commissariat are also prerequisites.

Politicians in their hysterics and rhapsodies following success are wont to regard victory as *vox populi*. Thus Leonard Swett exclaimed a few days following the convention: "The nomination is from the people and not the politicians. No pledges have been made, no mortgages executed, but Lincoln enters the field a free man."¹ Enough has been exhibited to make one skeptical of his assertion. If ever politicians controlled, or rather directed, a convention, if ever leaders courageously resisted the emotional and erratic impulses of the mob or if you please "the people" the Chicago Convention was a case in point. We know now that Abraham Lincoln was of all the leaders in view the best that could have been chosen to guide our ship of State through the storms about to break. So much so that all will incline to agree with Admiral Chadwick that if an All-Wise Providence directs the destiny of these United States His favor was manifest indeed on May 18, 1860.² But the decision was not the voice of the people that spoke but the judgment of patriotic politicians who saw or felt the steady ingathering of black and fearful

¹ Oldroyd, p. 73.

² Chadwick, *Causes of the Civil War*, p. 123.

forces whose terrific momentum was to wrench the very foundations of the Deep itself. In choosing their pilot some of the methods of politicians were exemplified. Abraham Lincoln sought the nomination but he wished it without lien or prejudice. But the prize was not so awarded. Leonard Swett either did not know or he forgot about the negotiations of Lincoln's field officer, Judge David Davis, with Indiana and Pennsylvania, whereby Caleb Smith and Simon Cameron were assured of position in the Cabinet if the Rail-Splitter was nominated and victory perched on the party standards on the Ides of November following. If he was not privy to them his Shade must have suffered distress on reading the revelations of Lamon and Herndon.¹

III.

WERE IOWA'S DELEGATES ON THE TRADE?

Addressing the Republican State Convention of Iowa at Des Moines in 1904 Senator William B. Allison said that of all the events in his long career as a public servant he was most proud of the fact that as a young man he enjoyed the confidence of his fellow republicans to such a degree that he was selected as one of Iowa's delegates to the convention that first put Abraham Lincoln in nomination for the Presidency.

Fame in the last analysis is chiefly the historian's favorable verdict. The patriot's ambition is the hope that he may serve his country in great affairs and be thought well of by his compeers and his successors. But it seems to be the fate of the patriot or statesman to suffer much from the slings and arrows of outrageous fortune. In the clash of political strife he expects and endures with what patience he may bold aspersions or gross hints adverse to his honor. He knows that good men suffer because evil men work, flourish and escape. When, however, the storm and stress are over and passion is still he does not expect their reiteration in cool blood and unless amply justified he resents it. Obviously the greater

¹ Lamon, *Life of Lincoln*, pp.449-450, 457-461—Herndon, *Ib.*, p. 181.

a man's eminence and the finer his type of character the more sensitive he is to charges or suggestions implying reprehensible conduct or petty behavior in matters of great concern. Irritation is not lessened when a reflection comes via a partial statement that discreetly hits no one in particular but in general each and all thereby involved. It mitigates the smart but little when it appears in the sober narrative of an erudite and distinguished historian, buttressed by the awesome authority of quotation marks. The greater the headway the greater is the leeway to twist a quip of Oliver Wendell Holmes. The situation is enhanced of course if perchance it turns out that no facts justify the allegation or give it even the color of justification. Resentment then becomes indignation.

In a biography of Salmon P. Chase, written by Dr. Albert Bushnell Hart, professor of American History in Harvard University, a few years since for the well-known series of "American Statesmen," appears the following paragraph:

As the time for the Convention approached, Chase found a few friends and staunch delegates from other States; but he got glimpses also of a stratum of intrigue into which he could not descend. The Spragues were said to have bought the Rhode Island State election for \$100,000, and some of the Rhode Island delegates were "purchaseable;" *some delegates from Iowa were on the "trading tack,"* and in Indiana there was "a floating and marketable vote." A Philadelphia editor wrote to him with unblushing frankness that he had worked for Cameron but that "if any little subcontract could be given us which would enable us to realize a little profit, we would endeavor to serve Ohio to the full extent of our ability." But neither Rhode Island, Pennsylvania, Iowa nor Indiana gave any votes for Chase at Chicago. (pp. 189-190. Italics here.)

One receives two decided impressions on reading the foregoing. First, there was an astounding amount of corruption prevalent in the preliminaries, if not in the proceedings, of the Republican National Convention of 1860. Second, the character or conduct of Iowa's delegates was smirched with the same pitch that soiled the delegates from other States. All of which, in the classic phrase of Horace Greeley, is "mighty interesting, if true."

The paragraph, however, is a sort of omnibus of damnable citations and sinister suggestions. As is usual with the

contents of such vehicles the assortment cannot with ease be precisely defined or interpreted for the reason that the statements are somewhat ill-conditioned and indefinite in their suggestiveness. A sharp scrutiny of the paragraph leaves one in some perplexity. It is not quite clear whether transactions prior to the assembly of the National Convention are referred to only or the proceedings during the Convention week are included. It is immaterial for the terms offered Chase by the thrifty patriots clearly contemplated specific performance in the Convention and thereafter delivery of the benefits or goods bargained for, whether cash, contracts, or patronage. There is perhaps a distinction but certainly not a difference between a delegate who impudently insists upon a *quid pro quo* in the form of an office before supporting a candidate or measure and a man who openly resorts to bargain and sale for cash on delivery. The unlikeness is scarcely important, it being merely a sugar-coating or veneer disguising a disagreeable thing.

Although reprehensible conduct is plumply asserted none of the statements it is instructive to note are direct or positive so that an explicit charge is posited or particular individuals are pinioned or pilloried. The Spragues "were said." What Spragues! The family into which Miss Kate Chase married! "Some" of Rhode Island's delegates; "some of Iowa's delegates were on the trading tack;" and Indiana had "a floating and marketable vote." Does the latter relate to the electors or to the delegates? Was the trading of the Iowans with a view to cash, contracts or offices?

Stated ordinarily in common political discussion the reference to Iowa would be taken to mean but little else than the prosaic practice of making combinations or "deals" in the final clench of a convention. But the context with its serious accusations or assertions of gross misconduct makes the casual reader and the student alike conclude that Iowa's delegates were guilty of crass venality.

No one needs to be told that in nearly every case Professor Hart in effect flatly charges conduct that smacks of criminality. No effective corrupt practice act would tolerate such proceedings. Disgrace and ouster, if not fine and imprison-

SOME OF IOWA'S DELEGATES.

WM. P. HEPBURN,
U. S. REPRESENTATIVE.



WM. PENN CLARKE,
SUPREME COURT REPORTER.



CHARLES C. NOURSE,
ATTORNEY-GENERAL OF IOWA.



HENRY O'CONNOR,
ATTORNEY-GENERAL OF IOWA.

CHICAGO CONVENTION, MAY 16-18, 1860.

ment, would promptly ensue, upon the submission of proofs. Disagreeable truth must now and then be told. If this is or may be necessary the particular persons chargeable with offensive conduct should be explicitly referred to.¹ Otherwise associates free from blame are equally involved, being besmudged or damned by implication. "Professor Hart should not make the charge against the honor of our State," says one of the delegates yet living who enjoys international fame in Diplomacy, Letters and Politics, "without producing some proof of its own verity. Indeed, his charge is made in the lowest terms. 'Some delegates from Iowa were on the trading tack.' Such indefinite charges it is difficult to answer."²

Who were the traders? The delegates who voted for Chase, e. g., Judge Wm. Smyth of Marion, and Mr. William B. Allison of Dubuque? Or the delegates who did not and would not vote for Chase, e. g., Mr. Wm. Penn Clarke, of Iowa City, or Col. Alvin Saunders of Mt. Pleasant, Mr. Jas. F. Wilson of Fairfield, or Mr. Henry O'Connor of Muscatine, Mr. Wm. P. Hepburn of Marshalltown, or the Rev. H. P. Scholte of Pella, Mr. Coker F. Clarkson of Metropolis or Lieut. Gov. Nicholas Rusch of Davenport, or Messrs. C. C. Nourse and John A. Kasson of Des Moines? Such inquiries are not idle or irrelevant but intrusive and inevitable; both on the part of the delegates living and the relatives and friends of the dead, and on the part of associates and citizens interested in the good name of the commonwealth; for as we shall see later few States sent delegations to the Chicago Convention having greater caliber and character than was found among the official representatives of the Hawkeyes.

Professor Hart enjoys great fame as a historian. He is at once an indefatigable student and narrator and a leading au-

¹ If Professor Hart cares to examine an instructive illustration of the sort of direct and explicit charge that justice requires if wrongdoing is to be asserted, he will find it in the pages of Mr. Charles E. Hamlin's *Life and Times of Hannibal Hamlin*, where in the latter's defeat in the Baltimore convention in 1864 and the nomination of Andrew Johnson for the Vice-Presidency is specifically charged to the "unscrupulous action" of the then Governor of Iowa—the charge being accompanied by exhibits of very damaging evidence that seem to substantiate the accusation. (See pp. 477-479.)

² Mr. John A. Kasson, to the writer. Letter dated Nahant, Mass., August 28, 1906.

thority in historical criticism and scientific procedure. He is therefore entitled to the presumption that he means what he says or he does not; that he must have examined the official list of Iowa's delegates and realized that many of them afterwards acquired celebrity in our national history or he did not; that he must have carefully sifted the evidence for his statement or he did not. In all cases either alternative entitles us to call for specific references and proof, so that the innocent shall not suffer with the guilty or to insist upon retraction or modification, if his animadversion is unsupported.

The offense against good men is not lessened in these premises but increased by the fact that Professor Hart utilized and apparently wholly depended upon Salmon P. Chase's private correspondence. An eminent public man like Chase is daily in receipt of letters from scores of friends, admirers or strangers, freely relating their views of men and measures. Such epistolary declarations are usually colored greatly by the prejudice of the writer's personal or partizan friendships or desires; and are often heedless or reckless. As they are not intended for the public eye the indiscriminate statements matter but little as the recipient is seldom so heedless or reckless as to give them publicity. We certainly may presume that Chase did not give much currency to the revelations of his various correspondents. Certainly he did not expose them to the hurt of official and party contemporaries whom he held in great esteem or respect; and he no more would have desired to have any use made thereof even after his death during the lives of his associates. Messrs. James F. Wilson, John A. Kasson and William B. Allison were the official and party associates of Chase between 1861 and his death in 1873 and each one of them enjoyed national fame for ability and high character. And the two last mentioned were living in 1899 when the biography in question was published and they are still living! Something of a very serious character exhibiting elaborate or enormous iniquity affecting adversely either the public welfare or actually thwarting Chase's ambition as regards the nomination at Chicago alone can justify the exposure of that correspondence in such wise as needlessly to

besmudge the good names of honorable delegates yet living in Indiana and Iowa, and perhaps Rhode Island.

Inquiry develops the fact that the whole basis for the statement affecting Iowa is the following letter!¹ Its contents are given entire. Their use or misuse in the foregoing is the only justification for their exhibition here. Only the initials of the subscriber are given although as will be apparent, there is really no particular reason for withholding his name:

Gate City Office, Keokuk, Feby. 24, '60.

Hon. S. P. Chase,

Dear Sir: Some time since I had your views on the Tariff published in the *Gate City*, and I have just republished the New Orleans Bulletin's notice of your election to the Senate.

I was at our State Convention, but I found the delegates, who were all aspiring politicians, very wary, & it was difficult to sound them, though I judged you had about as many friends as anybody.

We have just received *The Tribune* of the 20th, which comes out for Bates. We were not unprepared for such a move, & yet it rather strikes us with surprise. Our impression now is that it will not damage you or Seward in this State.

The Chicago delegates from this (Lee) county are Senator Rankin, of this place, & Dr. Walker of Ft. Madison,—both, no doubt, in favor of Cameron first & both of them rather on the trading tack.

I am sorry to say that, as a politician & with leading politicians of the State, our friend Ex-Governor Lowe has little influence.

Will you do me the favor to send, if convenient, a copy of your first inaugural—or the one which contained your argument on the Single District System.

Mr. Denison and family are well; Mrs. R. is not very well, but joins me in kind regards.

Respectfully,

W.— R.—

P. S. At present, I have no pecuniary interest in the *Gate City* Office. But as the Editor-in-Chief, Mr. Howell, broke his leg last November, & is still on his back, and his partner, Mr. Briggs, was gone to Washington to fill some place obtained for him by our Col. Curtis,—I am left here in full charge for present, but am not certain as to my future.

W. R.²

As a base for a serious reflection upon a body of delegates we are greatly mistaken if most persons will not regard the foregoing letter as utterly inadequate. It is a basis so narrow and thin that few persons even in the heat of bitter partizan debate would venture to make use of it adverse to any one. From beginning to end there is nothing whatever in it either directly or by fair inference warranting Professor Hart's use of the letter in the connection exhibited above. It relieves

¹ Professor Hart to writer, Aug. 29, 1906.

² From Papers of Salmon P. Chase in the Library of Congress, Washington, D. C.

the two delegates actually mentioned, as well as all of the others from adverse criticism or judgment. The letter, together with a communication of a contemporary of W. R. yet living, gives us the following facts:

W. R. was a personal friend or old-time acquaintance of Salmon P. Chase. He came to Keokuk in 1854 and until 1861 was business manager of *The Gate City*. He admired Chase much, became a watcher and worker in behalf of the Ohioan's candidacy for the presidential nomination and promoted his interests so far as feasible. He attended as a delegate the Republican State Convention that met at Des Moines January 18, 1860, to select delegates to the Chicago Convention. He evidently found the delegates—it is not clear whether he refers to delegates to the State or to those to the national convention—chary of expression and wary of questions as to their preferences or probable course in regard to the national convention. He found, however, or felt, that Chase enjoyed about equal favor with the other candidates mentioned. Horace Greeley's advocacy of Edw. Bates he did not seem to regard very seriously, yet he confesses some surprise. Finally, he found the delegates to Chicago selected from his own district and county to be both favorably disposed towards Cameron of Pennsylvania but both of them *rather* on the trading tack. The next year (1861) W. R., it is interesting and instructive to note, secured a position in the Treasury Department at Washington under Secretary Chase, wherein he continued many years until his death a decade ago; an appointment that was very appropriate, too, for my informant says that his "mind was completely wrapped up in finances and he wrote almost entirely on that subject" while in Keokuk.¹

The exact language of W. R. has not been quoted by Professor Hart and it is highly significant. Evidently W. R. had pressed Senator Rankin and Dr. Walker for an expression of their preferences and probable course without much success for he concludes that "no doubt" they were for Cameron, that is, they had not told him so explicitly, but he, W. R. had inferred so; and further from their manner and perhaps

¹ Mr. J. W. Delaplaine of Keokuk to the writer, Jan. 22, 1907.

bits of conversation he suspected that they were "rather" on the trading tack. He does not so much as intimate that they had broached or hinted at a trade or mercenary transaction. What W. R. refers to he *does not assert as a fact—he merely intimates a surmise* of his whereas Professor Hart omits the "rather" and absolutely asserts that "some of Iowa's delegates *were on the 'trading tack.'*" his assertion being a bold presumption wholly his own, with no substantial proof offered therefor.

In fine, Professor Hart apparently is clearly subject to criticism on several counts. First, he misuses Chase's correspondence while official colleagues and party associates are yet alive. Second, he has by a partial statement imputed reprehensible conduct to thirty-two prominent citizens of Iowa when only two, if any, were by any manner of means derelict. Third, he does gross injustice to the two delegates in question for he asserts as a fact what the authority on whom he depends, does not so assert and intimates nothing that gives even color to such a charge of misconduct. Fourth, by an important omission of a qualifying word he perverts the sense of W. R.'s statement and thus seriously misrepresents the authority he relies upon. Fifth, Professor Hart's language in the last sentence of the paragraph quoted above indicates that he did not scrutinize the tally sheets of the Convention very carefully.

Professor Hart says that "neither Rhode Island, Pennsylvania, Iowa nor Indiana gave any votes to Chase at Chicago." The statement is correct as to Pennsylvania and Indiana, but it is grossly in error as to Rhode Island and impliedly so as to Iowa. On the first ballot Rhode Island gave Chase one vote, on the second three votes, and on the third one vote. Iowa gave Chase one of her eight votes on the first ballot and one-half a vote on the second and third ballots.¹ The vote of Iowa represented four Chase delegates on the first and two delegates on each of the other ballots. If Professor Hart means to be taken literally, Iowa, of course, gave Chase no "votes" because she cast but one for him, but Rhode Island certainly gave him votes.

¹ *Proceedings*, pp. 149, 152, 153.

Responding to the writer's inquiry as to the meaning of his statement and the authority therefor, Professor Hart in closing his letter says: "I did not suppose when I quoted the phrase that any one would take it to mean that the delegates were trading for money. They were probably trying to get some assurance as to cabinet appointments, a vice presidential candidate, or something of that kind." Professor Hart's disclaimer of harmful purpose in quoting W. R.'s harmless phrase must be accepted as complete and final. But the explanation, while it relieves the situation somewhat, does not restore the *status quo*. It does not abolish the paragraph with its positive declaration, with its ugly implication. There are few libraries in the country that lack the classic volumes of "American Statesmen," the series in which Professor Hart's Life of Chase appears. Thousands have read and thousands will yet read that, when patriots were called upon to make the "most fate-pregnant decision" a national convention ever had to make, Iowa's notables were mere hucksters and petty traders and they will conclude that they were worse.

In view of the exhibit and analysis of the evidence for the adverse charge under consideration a defense of the character or conduct of Senator J. W. Rankin of Keokuk, or of Dr. J. C. Walker, the former a delegate-at-large, and the latter a district delegate is superfluous. Senator Rankin was the law partner of Samuel F. Miller, whose elevation to the Supreme Bench has already been referred to. Tradition has it that he was Keokuk's most brilliant lawyer in the days when the Gate City shone with such brilliants. Dr. Walker we shall see was a man who enjoyed the confidence of his fellow townsmen and was held in high esteem. Characterizing them in a personal interview with the writer, Hon. Charles C. Nourse, now as in 1860 of Des Moines, one of the leaders of Iowa's Lincoln forces before and during the Convention says of his associates: "Dr. Walker and Senator Rankin were both men of great ability and solid character with a fine sense of honor in public matters. Neither pettiness nor desire for private gain were moving motives with either."¹ Whatever Dr.

¹ Interview with Hon. Charles C. Nourse. Ib.

Walker's preference may have been in February, in May and at Chicago his voice and votes were from first to last for Abraham Lincoln.¹ Senator Rankin, on the other hand, was a firm advocate of the nomination of Simon Cameron. One of Keokuk's noted lawyers labored for several days prior to the Convention to persuade him to vote for Lincoln but without effect.² At Chicago, however, Senator Rankin turned to Illinois' candidate as soon as he realized that Cameron's chances were nil.

Taking the phrase "trading tack" in a large and honorable sense, and a common sense, and it is not improbable that the two delegates mentioned did have certain ambitious plans in contemplation for securing vice presidential honors for Iowa. As will be shown in a subsequent section, there are reasons for thinking that friends of James Harlan, Iowa's distinguished senior senator at that time, were not unmindful of a political situation that contained many chances in favor of such a consummation. The matter was broached both privately and publicly and may have been in the minds of Senator Rankin and Dr. Walker.

IV.

MEN AND METHODS IN CONVENTION..

A political convention in a Democracy like ours is of necessity a fortuitous concourse. No one ordinarily expects to find such an assembly composed only of philosophers and scientists, saints and statesmen. On the other hand such conclaves are seldom made up of shysters, knaves or fools. For the reason, in both cases doubtless, that neither would be tolerated by the general public. If the area of interests involved is extended or the issues at stake vital and momentous, the confluence of forces at the common center, no matter how quietly they may originate or serenely they may flow in, must produce commotion. If the currents thus concenter with great momentum a convention in the nature of the case concludes in a maelstrom. To the unemotional onlooker in lobby or gallery and especially to the scholastic who coolly studies

¹ Mr. J. P. Cruikshank of Ft. Madison to the writer, April 26, 1907.

² Mr. Henry Strong, now of Chicago, to the writer, June 4, 1907.

the records, the din and noise, the excitement, tempests and uproar seem utterly absurd and dangerous. Nevertheless they are not unnatural. Wisdom does not always predominate in their proceedings but no more does irrationality, or stupid perversity always prevail.

Two classes of persons compose our political conventions be they state or national. One class consists of those who care only for issues or principles. The other class is principally concerned with individuals or personalities—namely champions, or themselves. Such gatherings if they are to prove efficient must be composed of both classes in about equal proportions; since cranks and visionaries are as certain to run amuck and make success impossible, as petty heelers and sordid spoilsmen are to offend the law and the prophets.

Each class divides into two groups. The first class consists of the extremists who insist strenuously upon explicit and heroic measures, and declarations of doctrine regardless of contrary considerations of time or place, and of the moderates whose foremost interest is always the success of their cause but who realize that conditions determine success and should control practical measures—hence they support this or that champion of their principle believing that their cause will attain success more speedily by his promotion. Some of the latter type stand staunchly by their champion through thick and thin, hoping all things and doing all things in his behalf. Others deliberately canvass the situation, coolly calculate the chances of this or that representative candidate, and if they perceive that fortune does not favor their own preferences throw their influence in the direction that seems most likely to assure approximate success. Further, if their first estimate proves wrong they then change. The claims of friendship or admiration are not their chief concern; it is consideration for the success of their cause that dominates them. Iowa had some excellent illustrations of these types in the Convention at Chicago.

Judge Wm. Smyth cast votes for Chase at each ballot even when he must have seen that the Ohioan did not have a ghost of a show but he was staunch for a principle. Wm. Penn Clarke, Rev. H. P. Scholte and six or seven others stood firm

for Seward throughout the balloting notwithstanding the breaks in his columns in the New England States on the second and third ballots. The Lincoln men under the lead of Col. Alvin Saunders and Mr. C. C. Nourse, in spite of heavy odds, worked from the first for the candidate of Illinois. Mr. Coker F. Clarkson was a steadfast admirer of both Judge McLean and Governor Chase, having enjoyed personal and political associations with each in Ohio. In the Convention, however, he cast his vote on the first and second ballots for Judge McLean. On the third ballot he went to Lincoln.

The second general class instead of contemplating chiefly general principles and grand results is interested principally in personalities, either champions or themselves. They insist upon and care for correct principles and righteousness in a practical way, as do the former class, but they visualize them more in tangible leaders. This class probably comprises usually the larger numbers in conventions. This class too is easily discernible in two groups or kinds. One kind is made up of hero-worshippers, the major number perhaps. They feel and see the issues of right and wrong only through personalities. A leader who champions their cause they ardently admire. There is little or no analysis, no comparison, no synthesis of views or points of conduct. The champion's ability, his looks and manner, his prowess in debate, his successes, his steadfastness in the faith, his sacrifices for the cause enthrall the mind and energize heart and hand. They join his forces and work and proselyte in his behalf. Ardor and sentiment are likely to characterize their performances rather than cool calculation and reasoning, youth rather than age; and in the progress and culmination of a canvass they are wont to hear *vox dei* in the noise of the shouting throngs of the street and the amphitheatre. But enthusiasm and zeal if faults are exceedingly common—indeed, most normal persons regard them as commendable virtues. Few regard the character of those so delinquent as worthy of indictment on the score of sincerity or intelligence for the reason probably that it would include most of us. "I was," says Henry Villard, "enthusiastically for the nomination of Wm. H. Seward."

* * * * * The noisy demonstrations of his followers

and especially of the New York delegation in his favor made me sure, too, that his candidacy would be irresistible."¹

Most critical persons with a cynical turn of mind are wont to sneer much at this sort of thing. But it is not so irrational or illogical as may seem at first flush. Large numbers united and vocal for a candidate or cause indicate decided unanimity of opinion or general concurrence of interests or views. Such concurrence of numbers is presumptively the result of rational considerations and sensible conclusions. Most men are too busy to give particular attention or devote time to the study of conditions and causes, of the *pros* and *cons* of men and measures in issue. They turn to the men of "light and leading" to whom they have been accustomed to look and defer. They do not supinely follow their leadership but generally the consideration that decides them is the feeling that the numbers indicate a better or more informed judgment than their own.

The second sort who are interested in personalities rather than causes or principles is the group that think of their own individual welfare. They may be manifest in that aggravating species who seek to be on the winning side—they flit and flutter between the lines, anxious and uncertain lest they decide unwisely. This class is discouragingly numerous, not only in conventions but everywhere else. They mean well and usually are harmless in intent; they lack acute intelligence and steady nerve. They seek popularity and cannot endure the idea of defeat or nonsuccess. Another species comprises those who follow politics for a livelihood or as a profession. Not all or for that matter the major portion are petty and sordid in seeking their own interest. There are few men who do not covet public honors and promotion, and all must live. Affiliation with a party is the chief mode of advancement in politics. One ambitious for honors or anxious for a livelihood in politics must align himself with some faction, interest or issue. Otherwise such an one will be *vox clamantis in deserto*. Hope of immediate personal success may

¹ *Memoirs*, Vol. I, 137. Mr. Villard later became the President and creator of the Northern Pacific Railroad. He also was a financial backer if not a decisive factor in the management of the two great journals of New York, *The Nation* and *The Evening Post*.

be and usually is coupled with the noblest aspirations for human welfare. Some thus animated, however, are willing, if need be, to sacrifice themselves for the sake of the cause, as witness Lincoln's deference to Trumbull and his insistence upon putting the Freeport Questions. Others permit the ardor of desire to blur the vision and impel disregard of the niceties of conduct as was the case with Ohio's noble Roman, Salmon P. Chase, in his later relations with his great rival and coadjutor.

There are, of course, in conventions, no small number who are narrow, petty and sordid in their calculations and strife for immediate benefit. They regard such a conclave as a sort of fair or market where hucksters gather for bargain and sale and higgling and haggling is the rule. Oftentimes, alas, the dickering is corrupt and utterly vicious. Shakespeare describes the conduct of this miserable fraternity in his lines depicting the species of human kind that

Dodge
And palter in the shifts of baseness.

The latter class are an abomination and should be given short shrift. The former class exhibit a low order of political intelligence and virtue. They are simply petty and stupid but not necessarily shysters or scoundrels.

Academics and arm-chair critics are wont to over-emphasize or misjudge the numbers and the significance of the huckstering or corrupt politicians in conventions. A few black sheep in a flock makes most persons reach hasty and sweeping conclusions whence one infers that the entire number is discolored. Taking the daily occurrence of horrible headlines in our sensational press they talk as if crime and divorce were universal and rampant. Pettiness, sordidness and corruption are found in politics and conventions and perhaps are more impudent and obtrusive but they are discoverable and prevalent in all other walks of life in similar measure. Again it is not easy to differentiate the bad or undesirable from the necessary. Petty trading in offices is not particularly laudable. Yet combinations or "deals" in the large, adjustments of forces and compromises of conflicting interests are imperative if a convention is to avoid futile con-

troversy that easily invokes serious estrangements or concludes in disruption.

Among the men from Iowa in the Convention of 1860, were a number who possessed rare powers of discernment and achievement. They were masters in political tactics and strategy; men who shortly thereafter attained great eminence in public life and just fame. They severally had their preferences but the triumph of anti-slavery principles and success of the party at the polls were the predominant considerations with them. Mr. John A. Kasson preferred Edward Bates of Missouri and Mr. Wm. B. Allison's choice was Salmon P. Chase; but after they realized the futility of their hopes both threw their votes and influence in favor of Lincoln. Col. Alvin Saunders at heart would have rejoiced if Seward could have been made the candidate but an extended correspondence prior to going to Chicago with leaders in Illinois, Indiana and Pennsylvania convinced him that the nomination of the New Yorker put success in jeopardy. Consequently notwithstanding his attachment to Senator Harlan, who earnestly desired Seward's selection, Colonel Saunders went to Chicago and did yeomen service for the Illinoisan. Governor Kirkwood, at bottom prejudiced in favor of Chase because of early associations as Democrats in Ohio, frankly wrote Iowa's senior Senator that if long and able service were decisive Mr. Seward was entitled to the nomination, especially because he had long been the "best abused man" in the party. Nevertheless he concluded that other matters had the right of way. Saunders and Kirkwood were perhaps Iowa's leaders in promoting Lincoln's candidacy: One or the other probably taking part in the "Committee of Twelve" whose decision doubtless exercised a potent if not decisive influence upon the final result.¹

A fact of the greatest significance in the conduct of all the Iowans in the Convention was their staunch stand and sturdy fight in the presence of overwhelming odds. Two of the Chase delegates, all of the Seward delegates stood fast throughout the three ballots. All of the others apparently decided to go

¹ Matters referred to above will be dealt with at length in a later section.

to Lincoln, when his chances were not favorable, when Horace Greeley had telegraphed *The Tribune* that the opposition to Seward could not unite and conceded the latter's nomination. If Iowa's contingent had been petty traders and hucksters, or politicians of the weather-vane sort, they certainly would not have aligned themselves with the "Rail-Splitter" and his uncertain prospects. They would have joined the supporters of Seward the "popular" man, the man whose forces were led by the wizard Weed, the man for whom Col. A. K. McClure says "two-thirds" of the delegates really wanted to vote.

(To be continued.)

FAST TRAVELING—A gentleman of this place arrived yesterday morning on the Rolla having come up from New Orleans in ten days, less seven hours, including twenty-seven hours spent in St. Louis. This is the quickest trip ever made on the Mississippi.—*Iowa News (Dubuque)*, June 9, 1838.

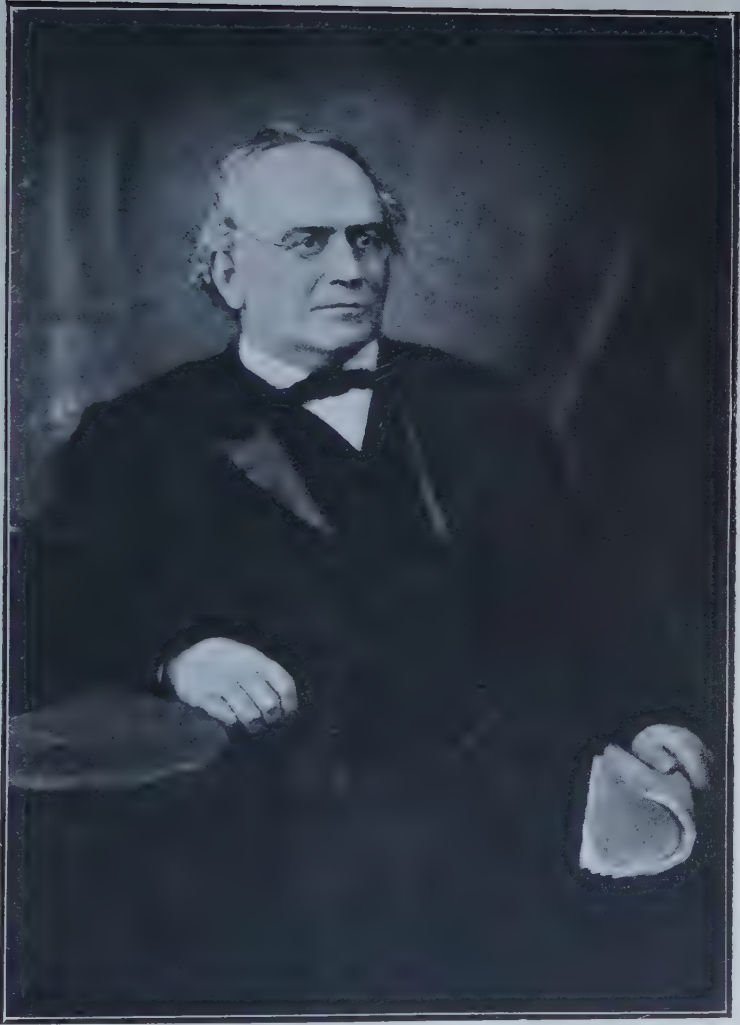
A HARD CASE—I am about to quit business in Dy Buque. I have been in it over two years and have not made "*Salt to my Porridge*." To those of my friends who have been indebted to me since I started, I would say, that I know it is monstrous hard that I should ask them to pay me *so soon*, but the fact is, I want money and *must* have it, as neither my creditors nor myself can live on barnicles and bottles of smoke.—Geo. L. Nightingale.—*Iowa News (Dubuque)*, March 17, 1838.

DAVID RORER.

BY EDWARD H. STILES.

The subject of this sketch I knew intimately. He used frequently to visit the Ottumwa Bar. I met him frequently elsewhere—the last time at his own house and fireside. I participated in the last case in which he personally appeared in the Supreme Court of Iowa. It was that of Wapello County vs. The Chicago, Burlington & Quincy Railroad Company, and is reported in 44 Iowa, 585. He was the general counsel of and represented the railroad company. I had for many years been its local counsel at Ottumwa, but this case was the heritage of ancient litigation growing out of stock subscriptions by the county, and owing to circumstances not necessary to explain, I represented the county. The case was a leading one and the questions involved difficult of solution. The judges were divided, and the opinion was carried by a bare majority. Of the lawyers who had participated in the trial below, he and myself were the only ones present. We both made oral arguments. He was then seventy years of age but his strong and well-sustained effort evinced no infirmities. His mental forces were unabated.

Taken all in all he was one of the most remarkable men I have ever known, and decidedly the most unique. He had been the compeer of all the distinguished men of the Territory and State and stood shoulder to shoulder with them. For politics he had neither taste nor adaptation. He was peculiar in appearance and manner. He was short in stature, with short arms and limbs, heavy set, well-rounded, very erect, and strongly built. His whole demeanor denoted great intensity of thought and action. His voice, naturally deep and sonorous, was capable of ascending and descending the gamut of sound quickly. His eyes, large, lustrous and keenly expressive, fairly scintillated when his action was excited. Though his figure, as indicated, was a little grotesque, his face and features were interesting and attractive, and his whole bearing indicated at once that he was a person of distinguished traits. His action



Yours very truly
David Rorer.

PIONEER JURIST, LAW WRITER.

and gestures when addressing the court or jury, were extremely animated and, if the term may be properly used, picturesque. He was perfectly *sui generis*. I never saw a man that resembled him. The *tout ensemble* of the person was without a model. He carried the green bag of the olden time lawyer on his arm for his books and papers, and never deigned to call the statement of plaintiff's cause of action, the "Petition", but always the "Declaration". He was an able lawyer and a highly gifted man. Though ordinarily affable and gracious, he was determined, self-willed, and, when heated, sometimes domineering. Nothing could quench his indomitable spirit. "Age could not wither, nor custom stale his infinite variety". Even when comparatively an old man he wrote and gave to the profession three highly prized works—*Rorer on Judicial Sales*, *Rorer on Inter-State Law* and *Rorer on Railroads*. The last, in two volumes, was written when he was verging close to eighty, and is used as a text-book in the Columbia College Law School and in that of the Wisconsin University. All are standard works, and prized as such throughout the English-speaking world, and will serve to carry his name into the future beyond most if not all of his personal associates at the bar.

The accompanying half-tone is from a photograph of an oil portrait painted in Paris by Seymour Thomas and considered a good likeness, but in my estimation it fails to perfectly exhibit the sprightly animation which pervaded his very being.

But let it not be supposed that because of his restless activity, he lacked the qualities of a patient student, for his works, his arguments, his writings demonstrate the contrary. The spirit of research was deeply founded in his nature. He had the instinct of the antiquary and the historian, and found time among his diversified labors, to collect much material and make several sketches for a history of the early Northwest—a work which, it is to be regretted, was left unfinished.

Though most of his life was spent in dealing with hard facts and the logic of events, so to speak, he was by no means deficient in aesthetic qualities. He loved the beautiful and the grand. He loved nature in all her various moods and forms.

He loved and remembered the lines of her poets. To illustrate: After completing our arguments in the case referred to in the opening of these remarks, we concluded to walk from the Capitol, instead of riding, to our hotel. We pursued a roundabout way and wandered into the environments of that part of East Des Moines. He pointed out the denuded hills once crowned with magnificent forests, as he had seen them nearly half a century before; where the old fort and the wigwam of the Indian had stood. As we advanced we saw ahead of us, smoke rising above the treetops. I wondered what was the cause, but in a moment he divined it in repeating the old familiar lines:

I knew by the smoke that so gracefully curl'd
Above the green elms that a cottage was near;
And I said if there's peace to be found in the world,
A heart that was humble might hope for it here.

While he was a learned lawyer his researches were not confined to his professional work, for he was an omnivorous reader and had a well-developed taste for general literature. While as already indicated, he had a lively imagination and the high instincts that belong to great orators, he was not what would be termed an eloquent one, for his oratory had been mostly trained to logical courses; it was essentially of the argumentative kind; strong, heroic, devoid of vacuity. And yet implanted in him were the faculties of real eloquence, as the following scrap, which has been fortunately preserved, will show and than which, I think, but few rarer specimens of native eloquence can be found. A condemned man whom he had defended and against whom the evidence was overwhelming, being called up for sentence was thus addressed by the judge: "The prosecution has resulted in a conviction, after an able defense of counsel. If you have anything to say, before judgment, the Court will hear it." Whereupon Mr. Rorer, putting himself in the place of the condemned and speaking in the first person for him thus responded:

May it please the Honorable Court:—I am an old man, fast tottering down to the grave. The frosts of seventy-three winters, though they have not whitened my brow, have wrinkled my face, and chilled my heart with many sorrows.¹

Mine has been a chequered life; and now when about to be separated from my fellows, I may give a truthful version of the past.

(1) Though 73 years old, his hair was coal black.

I had a family—and a home—a rude home it is true, and a plain and humble family—but they were my all. The deceased robbed me of the one and invaded the sanctity of the other²—two small sons, a lovely daughter, and a wife—ah! a cherished wife. On returning to that home the day of the fatal deed, I learned the certainty of the maddening truth, and hastened to the field, my rifle still in hand. I know not why I went. I had no fixed design;—he met me with a club—I shot him—and though I claim not to have acted in defense, I do assert that there was mutual combat. You know the rest. I fled; my family followed; but for the fifteen years I lived at Lockland, I made no secret of the deed that I had done.³

Now, time has done its work. The government itself has changed;⁴ new laws are passed, and old ones are repealed; and those who then surrounded me have mostly passed away. A different people now are in the land. A different code of morals now prevails. But I drank liquor, it is said, and true it is I drank it; not to have done so then would have been the objection. Men high in station leaned upon the dram shops for support, and to treat one's fellow to the poisoning cup, was deemed proof positive of genteel training. I may not be held responsible alone, for the vices of society; it is enough that I have been their victim. Those days are passed, and that loved wife is gone—borne down with troubles, she sank into an early grave. That lovely daughter is now a hopeless cripple, wearing a haggard face. Of those two boys who should have been the prop of my old age, the one has gone to join his injured mother as witness against the dead destroyer of their peace⁵—the other—and my heart sinks within me when I say it, still lives—but not to me—with an ear deaf to my calamity, he comes not near me; but I forgive.⁶

To this Honorable Court, the jury, attorneys and officers, and to the people of this community, I return my humble thanks for their impartial bearing.

I have never been a criminal of choice, but rather the creature of circumstances, beneath the weight of which far better men than I have sunk. I may have been too jealous of mine honor but never have but once proved faithless to a trust. When my country's rights were invaded, I avenged them, and so I did mine honor.

With General Jackson in all his Creek campaign, I battled for my country and its laws. At the fast in the wilderness, I was there—⁷ at the fast of acorns, I was there—⁸ at Emucfaw and Talladega,⁹ I was there; and when the shouts of victory drowned the cries of the dying at the Horse-Shoe, in the front ranks of my country, I was there; and then the name of him whom we call Jones,¹⁰ was but another

(2) McCordle, as Jones alleged, and the evidence tended to prove, had slandered Jones' family and cheated him out of his farm. (3) After killing McCordle, Jones fled to Lockland, Ohio, and there remained fifteen years before arrested. (4) The killing was in Iowa Territory, in 1840. The trial was in Iowa State, in 1855. The Government had changed. (5) Jones' wife and one of his sons had died, and the daughter was an invalid. (6) His remaining son refused to aid or come near him.

(7) Allusion is made to the starving condition of Jackson's army in the Creek wilderness. (8) Many of the troops ate acorns on arriving in the oak woods, just before meeting supplies. (9) Emucfaw, Talladega, and the Horse-Shoe Bend, were noted battle-grounds of Jackson, with the Creek Indians. (10) Jones was not his real name; he assumed it after leaving the army, for reasons not necessary to mention. The case was reversed in Supreme Court, by reason of change of government, and the prisoner discharged.

word for deeds of glory! But these things are of the past—a long life is nearly spent—the scene is changed—yet He alone who reads the human heart is, further than the formal sentence of the law, competent to judge me.

In the case of Ruel Daggs vs. Elihu Frazier *et al.*, tried to a jury in the District Court of the United States at Burlington, in 1850, before Judge Dyer, the proceedings in which, including the arguments of counsel, were happily preserved, and to which reference is made in the biographical sketch of Judge J. C. Hall printed in the April number of *The Annals* will be found an excellent specimen of his forcible style of oral argument. Though an emancipationist and a hater of the principle of slavery, he was, nevertheless, in favor of loyally supporting the constitutional provisions and the laws framed for its protection, so long as they remained on the statute book. The case was brought under the Fugitive Slave Law to recover the value of certain slaves who had escaped from their master in Missouri, and whom it was claimed he had been prevented from retaking by the acts of so-called Abolitionists in the Quaker settlement of Salem in Henry county. Judge Rorer represented the plaintiff, Judge Hall the defendants. Probably no two more powerful legal combatants ever met in an Iowa forum. Judge Rorer in his closing argument thus urged upon the jury the duty of the citizen to support the constitution and the law:¹

* * * * *

The passages referred to from this off-hand effort exhibit virile qualities that at once mark its elevation and stamp it with power. They serve to strikingly illustrate the characteristics of the man and the strength of his extemporaneous advocacy. They will also bear reading because of the vivid portrayal they give of the mutual troubles that Iowa and Missouri had, under the old regime, over the slavery question and the return of escaped slaves under the Fugitive Slave Law.

The specimens I have herein given of his oral efforts, are the only ones I have been able to obtain. His printed arguments are abundantly found, and if collected and published would be of value to the profession.

¹The quotations given by Mr. Stiles from Judge Rorer's Argument are omitted here, as they appear in this series of *The Annals*, Vol. 6, pp. 29-38.

But let us look at him on the other side of the slave question. He manumitted his own slaves, and in the first case to be found in the Iowa Reports, that of *In re Ralph*, reported in Morris, page 1, though a southerner and reared as a slave-holder, he espoused the cause of the slave Ralph, whom his master, under a contract between them, had permitted to come and live in Iowa, and by reason of which the Supreme Court, composed of three Democratic Judges, with the gifted Charles Mason at the head, declared Ralph to be a free man. And throughout our great civil war, he exhibited the greatest patriotism and loyalty. Early in the struggle he boldly advocated the emancipation of the slaves as the heroic remedy needed for the Nation's relief, and with all the firmness of his decided character.

The following incidents I obtained from members of his family and other authentic sources. He was born in Pittsylvania county, Virginia, in 1806. He descended from an ancient and honorable Swiss family, the Protestant branch of which settled in Lancaster county, Pennsylvania, anterior to the Revolution. He was the son of Abraham and Mary Cook Rorer. His father was a soldier of the Revolution and fought under Anthony Wayne at Stony Point, and on other fields. Soon after the Revolution the family removed to Virginia, where, as above stated, he was born. He studied law under Nathaniel Claiborne, of Franklin county, Virginia. He early resolved to try his fortune in the southwest, and in 1826, accompanied by a negro slave as servant, he made his way on horseback through the wilderness to Little Rock, Arkansas, where he concluded to settle; returning to Virginia to make his final arrangements, and coming back soon after to Little Rock—this time by horseback to Louisville, and thence by steamboat down the Ohio, and up the Mississippi, as far as Helena. He soon acquired a good practice in Little Rock, where he remained for ten years. But his profound discernment and a close study of the situation enabled him to foresee the gathering storm that was to burst upon us in the great Rebellion, and he determined to seek a new residence in the north. Carrying out that purpose, he removed to Burlington, where he arrived in March, 1836, and became one of the principal founders of that city, and intimately interwoven with its history and in-

terests. He saw and participated in its growth from a little hamlet of forty insignificant houses, to a populous and wealthy city. In the same year he built, on the southeast corner of Fourth and Columbia streets, not only the first brick building in Burlington, but in what is now Iowa. At that time it was a part of the Territory of Michigan; later it became a part of Wisconsin Territory, and in 1838, the Territory of Iowa. In the building of this house he laid the first brick himself, saying to the mason, "Let me show you how a lawyer can lay a brick." It was perfectly in accord with his quaint and lively characteristics. A picture of this house is in possession of the Historical Department of Iowa. In the following year the next brick building in the Territory was constructed at Dubuque. In 1841, he built the old homestead at the corner of Fourth and Washington streets.

As already stated, he was identified with the history of Burlington from its inception. The first meeting to incorporate the town was held at his office. He drew the first charter of the city. He assisted in laying out and naming many of its streets. He also drew the first ordinances, and in various ways aided in the organization and development of the city.

In 1839, he gave to and impressed upon Iowa the sobriquet of "Hawkeye." How this was brought about was clearly shown by an article in *The Burlington Hawk-eye* of November 21, 1878, in reply to an inquiry made by a correspondent on the subject. The inquiry and the article of *The Hawk-eye* will be found in the accompanying note.

To the Editor of *The Burlington Hawk-eye*, Mount Pleasant, November 21, 1878.

Will you oblige one who has not the time to look it up, and who has asked a number of people and found them all unable to tell, by advising him why Iowa is called the Hawkeye State. Respectfully yours, T.

The following is the article in *The Hawk-eye* replying to this inquiry: "The name 'Hawkeye' was first given to the residents of Iowa in 1839, and was first suggested by Judge Rorer of this city. The first mention of the name was in the *Fort Madison Patriot*, in 1838, a paper published by James G. Edwards, the founder of *The Hawk-eye*, at the suggestion of Judge Rorer. Mr. Edwards proposed in his paper that the people of Iowa adopt the name of 'Hawkeye.' This was done to prevent citizens of other states giving us a more opprobrious title, something similar to that by which the people of Missouri are frequently designated, even to this day. The name was not adopted at this time, however, but early in 1839, after Mr. Edwards had moved his paper to Burlington, the question was again discussed, and it was decided to write a series of letters to the papers then published in Iowa, and in which the people of Iowa were to be called 'Hawkeyes.' The first letter appeared in *The Dubuque Visitor*, the others in the several papers then published in the Territory. As these letters contained many criticisms of prominent men, including the public officers of the Territory, they created much interest, and the name 'Hawkeyes' was ever after adopted to designate the people of Iowa.

In a short time after this, Mr. Edwards changed the name of his paper to *The Hawk-eye*, in honor of the people of Iowa. This history of the name was procured from Judge Rorer, who had the honor of giving Iowa the title of the 'Hawkeye State.'

While living in Little Rock he married Mrs. Martha Martin (*nee* Daniel). She died after their removal to Burlington, in 1838. They had two sons and two daughters, Daniel, Claiborne, Martha and Frances. Daniel became a lawyer, and died in Worthington, Minnesota, in 1902. Claiborne joined Walker in his expedition to Nicaragua, and was there killed in battle, in 1856. Martha married William Garrett, a pioneer of Burlington, and died there in 1893. Frances married Davis J. Crocker, a lawyer, and is now living in New York City.

In March, 1839, he married for his second wife, Delia Maria Viele, a sister of Philip Viele, who was one of the distinguished lawyers of Lee county and early Iowa. Mrs. Rorer died in November, 1888. Two daughters survive, Miss Delia M. Rorer, and Mrs. Mary Louisa Remy, wife of John T. Remy, of Burlington.

As hereinbefore stated he appeared in the first reported case heard in the Territorial Supreme Court, as the representative of the slave Ralph. In the first volume of the Iowa Reports (Morris) his name is attached to thirty-five cases. Thus commencing, it unceasingly runs through all the reports down almost to the date of his death—from 1839 to 1884—a period of forty-five years. As thus traced, his professional career was more lengthily continuous and his name attached to more cases, than that of any other lawyer who has appeared before the Iowa bar, and figured in its highest court. For the last twenty-five years of his life, his practice was more especially devoted to railroad litigation. He became the solicitor of the Burlington & Missouri River Railroad Company in 1858, and after its consolidation with and absorption by the Chicago, Burlington & Quincy Railroad Company, he was continued in the same position by that company; and as counsellor, down to the day of his death. He was regarded as an expert in railroad law, and the publication of his work on that subject served to make his fame in that respect national.

Judge Charles Mason, in a communication addressed to me, January 23d, 1882, thus refers to him:

Among my earliest acquaintances in Burlington, where I commenced housekeeping, in 1837, were David Rorer and James W. Grimes, who, as nearly as I can now remember, were the only members of the bar then residing there. The streets were full of stumps and brush, and surrounded by the primeval, unbroken forest. Mr. Rorer has always been a hard and devoted legal student, and though of late years he has withdrawn himself from the general practice, he has, during his time, devoted his talents to the preparation of works on different branches of the law, which I believe possess a high degree of merit. Gifted with a very acute mind, and possessing a more extensive library than most of his competitors, he has generally appeared in court provided with a copious list of authorities. I know of no one who seemed more fully to enjoy an investigation which taxed to the fullest extent his thoughtfulness and his industry, nor do I know of any who devoted himself more unreservedly to the interests of his clients.

His life came suddenly to an end in Burlington twenty-three years ago. The newspapers of the State paid proper homage to his memory as one of its principal founders. *The Chicago Tribune* thus spoke of him: "In the death of David Rorer who died suddenly at his home in Burlington, Iowa, Monday July 7th, at the ripe age of seventy-eight, the State of Iowa has lost one of her noblest citizens, and the American bar one of its ablest lawyers and most learned law writers."

His daughter, Miss Delia M. Rorer, to whom I had written for certain data, writes:

I well remember his frequent reference to you and the long-standing friendship that had existed between you. You ask me for suggestions in regard to his private and domestic life, and for the circumstances attendant upon his death. Love of home, family, friends, and his dear country, were the key-notes of his existence, and these were never heard to vibrate more appealingly than when seated with his family by the blazing logs of his own fireside. His sense of hospitality was large, and he was never more happy than when he and my mother entertained their friends in the old homestead. He often repeated the old lines:

"The world has little to bestow,
'Tis from ourselves our joys must flow,
And that dear cot our home."

He loved nature, the waving fields, trees, flowers, birds and music. The show and glitter of life had little attraction for him, but the beauties of nature and of art, touched him deeply.

His life was ended so suddenly, after one day's illness, that it seemed more like a transformation than real death. The sun that rose for him on the morning of July 7th, 1884, set with his dying breath. The previous week, when in apparently perfect health, he had twice said to me, how perfectly happy he was—such intense happiness that it seemed like a premonition.

Thus peacefully passed one of the most remarkable men the State has ever produced, in the glow of a mellow sunset that imperceptibly mingled with the horizon that separates the visible from the unknown.

HOW THE DES MOINES VALLEY RAILROAD CAME TO DES MOINES.

BY TACITUS HUSSEY.

There has ever been a strong bond of friendship between the early settlers of Des Moines and the city of Keokuk, Iowa. This friendship began when that city on the Mississippi was a young and bustling town and Fort Des Moines was a little, muddy, smoky hamlet at the "Raccoon Forks of the Des Moines river." Keokuk, in those days, was our Chicago; for there we used to get our supplies. There come up in our memory the capacious warehouses of Chittenden & McGavie, Conable, Smyth & Co., B. B. Hinman & Co., Foote & Co., J. B. Carson, Stafford & McCune and others, perhaps, situated on or near the levee, where consignments of goods were stored intended for the interior of Iowa, waiting transportation by boat, during the boating season on the Des Moines river, or by wagon during the dry seasons over a wild prairie, in summer's heat, autumn's haze and through winter's snow-drifts.

Keokuk bears the name of the "Gate City." A very appropriate cognomen; for through this gate nearly all the shipments to Des Moines passed for consumption here and for distribution to the scattered villages and sparsely settled country which surrounded them. There was another bond of friendship which united these two cities. In the beginning of the dark days of 1861, with tears and prayers, we followed some of our young men who had sprung to their country's call, to that city, where they were uniformed, armed and drilled for the bloody work to which they were called, and watched them as they were carried away by boat and rail to the front, amid tears, cheers and streaming banners.

It was there that Miss Allie Smith, a little Keokuk girl twelve years of age, with an upturned barrel for a platform sang war songs to the soldiers, cheering the homesick ones, causing the hearts of all to throb with renewed patriotic resolves. As Mrs. Allie Smith Cheek, of this city, her voice has

lost none of its sweetness and flexibility, as every army post and camp-fire in Iowa will gladly testify.

There is another bond of friendship between these two cities which will never be forgotten by the pioneers of Des Moines. In January, 1857, the Constitutional Convention met in Iowa City and formulated a new constitution which was to be submitted to the voters of Iowa in August of that year. In order to make the location of the Capital at Des Moines doubly sure, the following clause was inserted at the instance of some of the prominent Des Moines citizens: "The seat of government is hereby permanently established as now fixed by law, at the city of Des Moines, in the county of Polk, and the State University at Iowa City, in the county of Johnson." For jealousy, or some other reason, the various counties of the State opposed the adoption of this Constitution and voted against it vigorously. The people of Polk county being intensely interested, raised a subscription of \$100,000 to aid the Des Moines Valley Railroad, and gave a majority of 1,500 for the new Constitution. Lee county, in return for this very high compliment to its pet railroad line, gave an immense majority for the Constitution—and saved the day! But it was a tight squeeze; for the entire State majority was only about 1,600.

On a high, rocky bluff, now overlooking the canal and the Mississippi river to the east, the writer stood alone one sunny afternoon in June, early in the fifties, and was so charmed with the beautiful prospect spread out before him that it has been retained in his memory ever since. He remembers saying to himself. "What a magnificent view! What a spot this would be for a mansion fronting the west, with a wide porch looking to the east. What a place for a man who has successfully fought the battle of life, gained a competency and upon whose shoulders life's cares rest lightly, to sit and dream away the remaining hours of life!" But my reminiscient pen has run away from the subject. I set out to tell "How the Des Moines Valley Railroad came to Des Moines."

It took nearly twelve years to build this railroad from Keokuk to Des Moines. Four regular sessions of the Legislature had been held here, and another was almost due, when the

first train came into the city. The project and the work of carrying it to a successful finish, was little short of heroic. Four years previous to the throwing of a single shovelful of dirt there had been an unprecedented flood which had swept the valley of the Des Moines clean of crops, stored and growing, live stock, fences and in fact all floatable articles and filled the Mississippi with all sorts of floating debris. The farmers on the upland did not fare much better, as the continuous rains prevented planting and washed the ploughed fields into unsightly ditches. Iowa came as near to a crop failure and Des Moines to a food famine as ever before or since. It took three or four years to recuperate. Then there was financial difficulty. Gold and silver, what little there was, had gone into hiding. Currency was of the doubtful kind, being free bank money from Indiana, Illinois and Iowa "wild cat currency."

The officers of the road in 1855-56 were: President, H. T. Reid, afterwards a gallant soldier in the Civil War and an accurate historian; secretary, C. F. Conn; treasurer, W. C. Graham, and a board of directors. Grading began in 1855 when a contract was let to Bentonsport, a distance of forty miles. The rails for this distance were ordered by eastern capitalists, September, 1855, and were expected in 1856. Grading began again in March, 1856, although the frost was not yet out of the ground. The contractors who were to furnish the ties were going on with their work. On June 17th, 1856, the good news was received that 4,000 tons of the rails ordered, costing \$64,000, had arrived at New Orleans and were on their way up the river on seven steamboats. When the boats arrived track-laying began without ceremony and on the seventh day of October of that year, the first "Excursion train on the D. V. R." started from the depot grounds in Keokuk for the first station, Buena Vista. The locomotive pulling this first train had been christened "Des Moines," as a compliment, no doubt, to the city in the dim distance at the terminus of the road. The passengers were: President Reid, Messrs. Eaton, Roberts, Leighton, Parsons and others of the directory board, together with a number of citizens unnamed, but who, no doubt, wished to go down in

history as passengers on the first train out of Keokuk. Track was at this time being laid at the rate of half a mile a day, and it was estimated that by December first the road would stretch out twelve miles, ever pointing hopefully to its destination.

There began on the first day of December, 1856, an unprecedented snow-storm, lasting three days, followed by a blizzardly wind which heaped up the snow all over Iowa from one to ten feet deep, making the graded work look like an elongated grave of buried hopes. But under a somewhat belated spring sun the snow-drifts wept themselves away, and on June 10th, 1857, Farmington welcomed the "Iron Horse" with loud acclaim, fed and encouraged the officers of the road and the welcome visitors who accompanied them and with a Godspeed waved them on to their journey's end. Bonaparte was passed in due time, and in the spring of 1858 the road had reached Bentonsport in time to carry to their homes some of the members of the first Legislature Des Moines ever had. Those members who could in any way reach home by boat, embarked on the steamer "Skipper," arriving safely at their destination and thence by railroad to their several homes. These members had been courted, had feasted and danced during the winter and left the new Capital in the best of spirits. The first Legislature, the first railroad and the first arrival of a steamboat in the spring were events which caused the heart of the average Des Moines citizen to swell with pride. The Republican State Convention met in Des Moines in 1859, and the entire delegation from Dubuque, one member of which was Frank W. Palmer, came up as far as Agency City, the then terminus, by rail, and thence by boat to Des Moines. All the delegates who could, came in the same way and were loud in their praises of the quickness of the trip and the courteous treatment accorded them.

In the spring of 1862, all the members of the Legislature on adjournment, who could reach home by river, embarked on the "Des Moines City" to Ottumwa, and were carried to their homes by the Des Moines Valley Railroad Company. Then by slow and easy stages the road crept up to Eddyville, where it found a tarrying place during a portion of the years

when the war was going on, and where it was met by the "Des Moines Steamboat Line" as it advertised itself. This line was used to transport the outgoing troops and return the sick, wounded and furloughed soldiers who had been to the front, smelled powder to their cost, and returned home to be nursed back into health and strength by tender hands and loving hearts. But little by little the railroad crept up the river and on July 10th the readers of the *Daily Register* smiled over one of J. M. Dixon's characteristic couplets:

Sammum Hillum! Something's broke!
The cars have got inside of Polk!

The news had been brought in by a farmer, who, with beaming face, gave the pleasing information that track-laying and a construction train had penetrated Polk county nearly half a mile! Then we began to hear of it at "Woodville," only a few miles away; for stages met the passengers there for a while and the hearts of the Des Moines people began to beat high with hope, especially after being in the presence of and talking with the men and women who were congratulating themselves on coming to Des Moines with so little staging. On the 22d of August our citizens were regaled by the following:

PROCLAMATION.

Hear, oh, ye heavens and give ear, oh, ye earth! Let the glad news sweep over the prairies and around the universe, that the first train on the Valley Road will come into Des Moines on the afternoon of the 29th of August, 1866! Colonel Leighton says it, and his word stands fast! In view of this circumstance, preliminary arrangements should be made to meet the Iron Horse and give him a grand reception! Let the mayor and city council lead off in this matter. About forty persons from Keokuk will come up on the train as railroad delegates to Des Moines, and there should be marching, bonfires, music, hurrahing, whistling, yellings, and circumscribed and uncircumscribed rippings and tearings through all this Land of Promise! Let us have a perfect roar and rush and thunders of enthusiasm!

Accordingly a public meeting was held at the city council room to make arrangements for the coming event. Mayor Geo. W. Cleveland was called to the chair and Seward Smith appointed secretary. John Morris moved that a committee of seven, of which the mayor should be chairman, should be selected to take the matter in charge. The committee chosen

was as follows: P. M. Casady, J. M. Moody, John Morris, B. F. Allen, S. F. Spofford, and George W. Jones. They were given full power to complete the arrangements. On motion of Judge Casady, Mayor Cleveland was authorized to invite the mayor and city council of Keokuk to visit Des Moines on the first train. The meeting then adjourned to meet on the following Saturday, at which time the city council would be asked to make such appropriation as would meet the bills of the committee of arrangements. At the meeting thus appointed Col. E. F. Hooker was elected marshal of the day, Col. E. S. Spofford was appointed committee on transportation of visitors, and John Morris on music, artillery and ringing of the bells of the city.

A supper and dance was appointed at the Savery House (now Kirkwood) and given into the hands of Geo. A. Drake, Ten Eyck Beekman and Major Joseph Lyman, with such sub-committees as might be required.

Honorable Geo. W. Jones, Col. E. F. Hooker, and Ccl. Stewart were appointed a committee on program and they at once selected Hon. John A. Kasson to make the speech of welcome. Other speakers to be called out by the chairman, if desired. The arrangements were as follows:

ORDER OF EXERCISES AND PROCESSION.

1. Collard's Brass Band,
2. Mayor and City Council,
3. Invited Guests,
4. Masonic Order,
5. Odd Fellows,
6. Good Templars,
7. Citizens on Foot,
8. Carriages and Equestrians.

MARSHALS.

Col. E. F. Hooker, Chief Marshal,
Col. S. F. Spofford, 1st Assistant,
Joseph C. Warner, 2d Assistant,
Harry Stephenson, 3d Assistant,
Augustus Newton, 4th Assistant,
John Bacon, 5th Assistant.

Returning, procession will form in the same order from depot on Market street, thence from Market to Fourth, from Fourth to Court Avenue, from Court Avenue to Third street, up Third to Walnut, up Walnut to Savery House, where the procession will be dismissed by Hon. George G. Wright.

When the whistle sounded somewhere near the Brooks

farm on the afternoon of August 29, 1866, the crowd with one accord shouted: "She's a coming!" When the train came in sight, as far down the track as could be seen, there was a wilderness of handkerchiefs, hats and hands waving from the windows of the cars, while on the crowded platforms could be seen men waving their hats and shouting their greetings to the assembled crowds on both sides of the track. When the stop was finally made there were speeches, but not a third of the crowd heard them. They were too happy to listen. A majority preferred to inspect the cars and shake hands with the engine, so to speak. Many of the assembly had never seen a train of cars, especially the younger portion of the generation. Some of the older ones had not seen a train since they bid adieu to the railroad on the east bank of the Mississippi years ago, as they journeyed into Iowa with eyes fixed on "Fort Des Moines," the prospective Capital of the State.

John A. Kasson was at his best that day, as was also Judge Wright, who had been "waiting for the wagon" for the last twenty-five years. His face beamed with the satisfaction he felt, and he convulsed the listeners with some of his old-time stories of early transportation, by ox team, stage and steamboat. The visitors responded in their happiest vein and the crowd was the jolliest ever seen and heard in Des Moines. And the women! They were there in great numbers; for where the men are, there will the women be also.

Then the procession was formed and the march to the Savery House, Fourth and Walnut, was made in the same order as the previous procession, yet with much more enthusiasm and noise. All were so happy that they had to give vent to their enthusiasm in some way and it generally took the form of shouting and singing. When the destination was reached the procession was dismissed by Judge Wright in a few well-chosen words and the procession melted away. The visitors were assigned to the Savery, the De Moine House and other hotels, while not a few were taken care of by friends and acquaintances at their private residences. The people of Des Moines seemed to be fully in accord with one of the voices of the day, which said:

They waited for its coming! They prayed for its coming! They talked of its coming until their tongues grew eloquent with the theme! But they died and were in their graves before their eyes saw the glories of this latter age! Through the films of death they struggled to see the glory; but a cloud from the Shadowy Land, freighted with the chills of the grave intercepted all vision and encompassed the dying with universal darkness! It is here! All doubts have fled! The great triumph has been achieved! The promised train is here today! The sun shines in a clear firmament! The day, yea, the hour of final victory has come!

The supper and dance at the Savery House was all that could be wished and was enjoyed until a late hour of the morning. Some of our staid citizens did not go to bed at all, but "made a night of it!" Des Moines never saw a happier throng of citizens, and none was more happy than Judge Wright, Judge Casady, B. F. Allen, Col. Spofford, Col. Hooker, J. B. Stewart, Thomas Hatton, Ed. R. Clapp, Geo. W. Jones, Col. Stewart and hundreds of others who had waited for years for the coming train which was to bind Des Moines in bands of iron to the outside world, and cause her to stretch her limbs in the great race of preferment.

Nearly forty-one years ago! What changes have come to the then village just waking to a sense of her importance! How many of the active participators in this city are alive? How many of the honored guests remain in the flesh to look back upon this most important step in the progress of Central and Western Iowa? For the benefit of the younger generation, a list of the guests are given that they may go down into history as participants in the first railroad excursion to the Capital of the greatest State in the Union:

From Keokuk —J. M. Billings, S. C. Carter, D. Payne, J. Jewell, R. Patch, E. Griswold, Judge S. F. Miller, B. S. Meriam, E. H. Wickersheim, E. J. Leech, J. W. Delaplain, Wm. Patterson, mayor of Keokuk; James Coy, William Thompson, J. C. Patterson, S. P. Patterson, Harry Fulton, W. Wilson, John P. Wise, Geo. E. Kilburne, Captain Ball, Major Lowe, J. L. Rice, C. Bailey, Col. J. A. Viall, D. Urinick, J. K. Cochran, D. B. Drummond, C. Gaber, C. Thompson, H. Kerr, W. Sample, Capt. Add Hine and son, Gen. H. T. Reid and son, Howard Tucker, Wm. Brownell and son, H. J. Miller, Jas. H. Wilson, Joseph L. Herr, Captain Pearmain, General McKenney, Geo. J. H. Wilson, U. S. A.; Col. C. P.

Haines, H. A. Whitney, Isaac Anderson, S. M. Anker, W. N. Stannus, H. Robertson, S. Pollock, W. S. Roche, B. Williams, Michael Gregg, James Mayer, G. W. Kerr, Col. A. W. Sheldon, E. H. Jones, W. C. J. Vines, G. W. Pittman, Rev. Mr. Hassall, H. S. Farrer, Sam M. Rankin, D. Mooar, M. K. Taylor, C. P. Birge, James C. Bruce, E. Sellers, J. W. Rankin, Col. D. B. Hillis, J. R. Copelin, H. B. Ten Eyck, Col. J. C. Parrott, R. H. Wyman, A. C. McQueen, Hon. J. W. McCreary, H. T. Cleaver, I. N. Sterne, Gen. W. W. Belknap, Doc Lowe, D. W. Blackburn, A. J. Wilkinson, George E. Yarmann, S. Cary, S. Younker, George Cabus, P. D. Foster, H. W. Bobsnik, J. M. Hiatt, Rev. John Burgess, D. W. Tucker, C. E. Snow, John W. Bowers, J. W. Pearmain, J. Gush, E. M. Buell, Geo. L. Coleman, P. Gibbins, Geo. B. Smith, A. Bridgeman, O. C. Hale, Thomas Clyde, Thomas J. Tucker, J. J. Goodwin, George R. Stafford, J. P. Carl, J. Tibbetts and Alex Barclay.

From Oskaloosa—W. H. Seevers, J. R. Needham, M. T. Williams, Geo. J. Bennett, W. H. Needham, E. Moore, D. W. Loring, and C. G. Moss.

From Burlington—A. D. Wentz, L. Carper, E. Chamberlain, Mark S. Foote, C. P. Squires, James Morton, A. G. Adams, Dr. Beardsley, James Pittman, H. E. Hunt and T. W. Barhydt.

From Ottumwa—Gen. J. M. Hedrick, J. Howley, Jr., Hon. E. H. Stiles, Gen. E. Gillespie, E. M. Gibbs, J. J. Robison, and W. H. Caldwell.

The same train took the excursionists back the next day and bore on one side of the engine a banner reading: "Keokuk-Des Moines—the gate open to the Capital." On the other side of the engine a banner read: "D. V. R. R.—The link which unites us."

And the train moved out across the wide stretch of prairie amid the good-byes and cheers of the happiest people in Iowa. And thus Des Moines shook hands with the outer world by rail.

The first locomotive entering Des Moines was the "Marion," on the 28th day of August, with rails to finish laying the track, James Carl, engineer. The engine bringing

in the "excursion train" on August 29, 1866, was the "Keokuk, No. 1," James Tibbetts, engineer, and R. Patch, conductor.

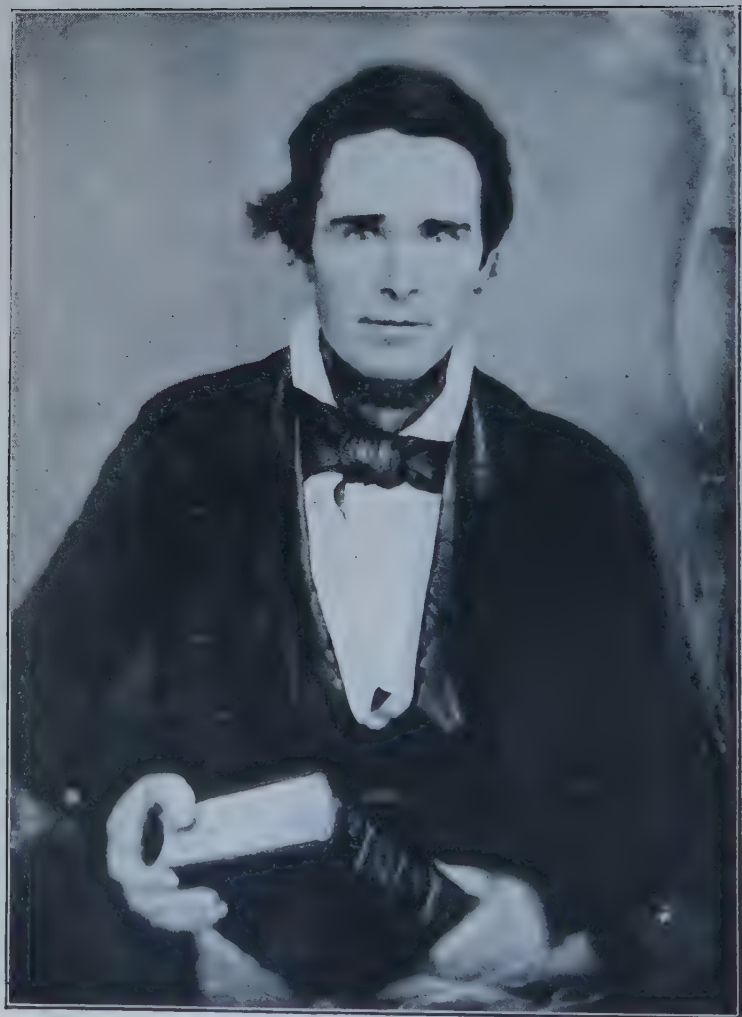
Robert Given, now of Dallas, Texas, was conductor of the first freight train entering Des Moines, August 30th, 1866, drawn by the "Leighton," Jack McKeachie, engineer. This train brought up a big consignment of lumber for H. F. Getchell & Co.

Some years after this, a "chesty" individual, wishing to say something smart, in speaking of the "Gate City," remarked that the "Gate" had been left open and business had sauntered out never to return! Well, never mind. When the Mississippi river is improved with a six-foot channel from St. Anthony's Falls to the mouth of the Missouri, and thence with a fifteen-foot channel to the sea, and the Des Moines river, by canalization, becomes an arm of the great waterway system which is to be, our old sweetheart will come to her own again!

Des Moines, Iowa.

THE WESTERN PLAINS are literally covered with buffalo. The number each year seems to increase rather than diminish. They go in immense droves and at times seem to cast a dark shadow over the valley.—*St. Charles City Intelligencer*, September 25, 1859.

NOTICE is given that the Synod of Iowa will meet in the First Presbyterian Church, at Vinton, on the fourth Thursday (22d) of September, at half past seven o'clock p. m. Arrangements have been made with the Western Stage Company, the Railroad and Steamboat Companies, to return persons in attendance on the Synod free, who have paid full fare one way.—*St. Charles City Intelligencer*, September 8, 1859.



HENRY HAWKINS BARKER,
PIONEER PHYSICIAN.

DR. HENRY HAWKINS BARKER—A PIONEER PHYSICIAN.

BY J. F. KENNEDY, M. D.*

Iowa annals are not very rich in the record of the physicians who came to the State in an early day. While the names and deeds of a few are preserved in the histories of some of the counties yet scarcely anything can be found relative to the diseases and their characteristics as encountered in Iowa earlier than the fifties. I have been fortunate in obtaining some few facts in regard to one of the earliest physicians in the State that I am sure are worthy of record and will prove interesting to many readers of *The Annals of Iowa*—especially to our pioneers.

Doctor Henry Hawkins Barker, the subject of this sketch, was born October 7, 1814, in what is now West Virginia. At an early day his father's family removed to Indiana, locating at Greensburg. Here he studied medicine and in the winter of 1829-30 attended lectures at the University of Pennsylvania, Philadelphia, one of the best medical colleges in the country. It is also stated that he attended medical lectures in Cincinnati, Ohio. It will thus be seen that he was well equipped professionally.

In 1838 with his father, mother, four brothers and a sister he came to the Territory of Iowa and settled in Keosauqua, Van Buren county. That must have been at this early date a good part of Iowa to immigrate to, for I find quite a number of the prominent people of Iowa and some now residents of other States who were in an early day residents of that county.

Doctor Barker was married to Mrs. Dorothy C. Twombly, mother of Captain V. P. Twombly of Des Moines, at Keosauqua in 1844. To them three children were born, two dying in infancy. The last, Henry Wilder Barker, born in 1853, is yet living, and for the last twenty-five years has

*Secretary of the Iowa State Board of Health, 1884-1906.

been employed in the offices of the Great Northern Railroad at St. Paul, Minn.

For seventeen years Doctor Barker practiced medicine and engaged in the drug business. There are those yet living who have a grateful remembrance of him. His pleasant, genial manner and his professional skill endeared him to all who required his professional services. Among those who thus remember him is Mr. P. M. Casady, of Des Moines, a prominent and highly respected citizen, who on coming to Iowa in 1846 was taken sick at Keosauqua and was taken care of by Dr. Barker. The doctor was the first physician to settle in Keosauqua with the exception of Dr. Cyrus H. Ober, who preceded him a short time. Dr. Barker died at Keosauqua March 6, 1855, at the early age of forty, of consumption the seeds of which had been "planted" in his system by exposure during those early pioneer days in a new territory. His stepson, Captain Twombly, who was thirteen years of age at the time of his death has a very vivid and pleasant recollection of him. As a husband, father, citizen and physician he was greatly beloved by all who knew him and his early death at a time when strong men were greatly needed in Iowa was a great loss to the State.

There are no records of his long rides, his exposures to storms, the impassable condition of the roads (if roads there were) and the great amount of gratuitous services cheerfully rendered at that early day by all honorable physicians.

We find him a year after locating at Keosauqua facing a war—I believe the border line war between Iowa and Missouri. The following is a verbatim copy of his appointment as assistant surgeon:

Head Quarters
Inspectors Office
Vanburen Dec., 14th 1839

H. H. Barker Sir

you are Hereby Autherised to officiate as Surgeons Mate of the 2nd Reg. of the 1st Brg. of the 1st Division I. M protem and it is enjoined on you to do all the Duties appertaining to the rules and regulations of War to the best of your ability

H. King Brg Ins. pt.
Div. 1st Br I. M

Upon receiving his appointment the following official oath was taken:

H. H. Barker you do Solemnly Swear that you will Support the constitution of the U. S. and perform all the duties appertaining to your office So help you God
 Sworn & Subscribed to
 before me this 14th Day
 of Dec 1839
 H King Brg—Ins pt Div
 1st Br. I. M

H. H. Barker

There is nothing to indicate that the doctor was called upon to do any surgical work as the war ended before it really began.

The following history of an epidemic of sickness in and about Keosauqua will be especially interesting to physicians. It was found among his papers and so far as known was never published. This interesting account and many of the facts above referred to were kindly furnished by his stepson Captain Twombly. The doctor writes:

Prevailing diseases of 1840 between the last of June and the first of October:—I had the care of more than one hundred and sixty-seven cases of fever in Van Buren county, which generally went through their course and required close and vigilant attendance. I also had many cases of the same sort which, either from original mildness or prompt treatment, proved to be comparatively slight—the latter class, however, (patients) were so much indisposed as to be unable to attend to their ordinary business for a period of one or two weeks, though unlike the former, they were not entirely confined to their beds for any considerable time. Of these cases one-half the mortality happened in the month of September. In the succeeding month the epidemic, if it might be so called, terminated. Persons of all ages from one year old to seventy, and of both sexes were the subjects of the disease. It is perhaps needless to remark that the following statements apply more particularly to the severer cases. A majority of the cases were ushered in by slight chill; coldness of the extremities; an excruciating pain in the back, loins and head; dryness of the skin; extreme thirst; great arterial excitement and determination of blood to the head; great torpor of the liver and frequent ejections of glary mucus from the stomach. The great majority, however, had no apparent local affection except of the brain and of the parts that more directly sympathize with that organ. A few of the cases were attended with petechiae. In nearly every instance, whether severe or moderate, the disease began with more or less pain in the head, especially about the forehead. Vertigo was also a symptom almost universal. In some, a sudden faintness, dizziness or a sense of extreme exhaustion was present so that the patient could neither sit nor stand upright. In other cases the attack resembled a severe concussion of the brain. Indeed everything seemed to show that the brain or nervous system was the primary seat of the disease.

In some cases the skin was preternaturally cool for several of the

first days and subsequently, in temperature, it never exceeded the standard of health. Hemorrhage from the nose was not an unfrequent occurrence and was one of the most fatal symptoms that occurred and was the first alarm given to the bystander.

There were two varieties of attack, the sudden and the insidious. The most sudden attacks were the soonest relieved, provided the patients had prompt and appropriate treatment, and under such circumstances the disease rarely exceeded five or seven days. In some of the severest cases the disease arrived at its height on the third day and under careful management the patient appeared subsequently to be free from danger. The recovery in most instances was the evident consequence of the prompt and decisive treatment and of the necessity which both patients and attendants felt of following prescriptions scrupulously.

UP to the year 1836, Iowa as well as Wisconsin, was embraced in the Territory of Michigan, and as lately as 1832, it was an Indian territory, except a claim at Du Buque's lead mines, which had been entered and worked by a few miners two or three years previously. The first emigrants who made farms in the State entered the territory in February, 1833, and settled a few miles west of Burlington. The first Christian Church gathered was a Baptist one in 1834.—*St. Charles Intelligencer*, July 31, 1856.

WE had an article prepared for this paper on the subject of our Legislature, but owing to the exhibitions we made and the injury it might do our Territory abroad we concluded it would be best to say as little about their extravagance and disposition to quarrel with the Governor as possible.—*Iowa Sun (Davenport)* January 26, 1839.

GOVERNOR A. B. CUMMINS AT ANDERSONVILLE.

During the journey to the Southern Battle-fields in November, 1906, Governor Albert B. Cummins was the principal speaker representing our State, though several other distinguished gentlemen spoke upon occasion as their services were required. It was his proper official duty to receive the monuments from the various commissions, thanking them on behalf of the people of Iowa for the admirable manner in which their important duties had been performed. He then presented them to the agent of the General Government, who represented War Secretary Taft upon the different occasions. To say that he performed this arduous duty to the satisfaction of his auditors, eloquently and in splendid taste, would be but to faintly convey the feelings of his different audiences, especially the old soldier element, which was largely represented on this historic excursion. His crowning effort on these occasions was at Andersonville, where he extemporaneously addressed his auditors from a stand which had been erected among the thousands of monuments to the dead who had given their lives at that place. The Iowa monument was one of the most tasteful among those erected on the battle-fields of the south. As he was concluding his remarks an old soldier was heard to express himself as follows: "I have heard three great historic speeches. One was the first inaugural address of Abraham Lincoln on the 4th of March, 1861; the next was the reply of Andrew Johnson to several attacks made upon him by rebel Senators in the U. S. Senate, and the third one was that of Governor Cummins at Andersonville." It really needs no introduction, for its expressions are so clear and eloquent that they tell their own story. He was listened to with profound attention, and at the close of his address there were few dry eyes in that assemblage. An Iowa Colonel who pondered over the inscriptions on the monument remarked that he had discovered the names of eight men of his command who were there buried. He walked away with streaming eyes, as did scores of others. The Iowa monument is one of great beauty. It is a solid block of Montello porphyry from the little town of that name in Wisconsin. Perhaps one-fourth of the space on the four sides is occupied with a list of the Iowa dead. This monument is surmounted with a statue of a woman, leaning forward in the attitude of weeping. The only criticism we heard upon this monument was that this figure of Iowa had not been cast in bronze. Granite will in a few decades show evidences of great deterioration and this figure will not escape the common fate of such statues. For the time that it will last, however, nothing could be more admirably designed. The day was a sad one from the terrible associations with which the monument and the graves were surrounded. Every one who was fortunate enough to be present and listen to our distinguished Governor, heard an address which has already become historic and will never be forgotten.

Mr. Chairman, Gentlemen of the Andersonville Prison Monument Association, Prisoners of War, Ladies and Gentlemen: Words are meaningless things upon an occasion like this. I think that all understand that, but possibly you do not appreciate as I do at this moment that words are not

only meaningless—inadequate, but they are difficult as well. Mr. Chairman, as you have so well said, but a few hours ago, we dedicated to the immortal renown of our boys who fought at Vicksburg, the memorials which a grateful State has erected to their memory. It was easy to speak as I stood upon that historic spot. It was easy to speak of the wild enthusiasm of the charge and the rushing splendor of the assault, for death seemed to be robbed of its terrors when accompanied with a glory so radiant and so complete. That hour was full of glowing memories. This hour is surcharged with the saddest recollections that can fill the human heart.

It seemed to me this morning that the clouds themselves were in harmony with the emotions that overcome these soldiers of the war and with the ceremonies through which we are passing. They were weeping in sympathy with the loyal people of the State of Iowa, as we stand where her brave sons suffered the extremest test of loyalty to the Union and to the flag. Does it not fill your hearts with a new purpose, my dear friends, does it not fill them with a new adoration for human nature, when you remember that these boys suffered the unparalleled inhumanity of the prison and the infinite cruelties of the stockade rather than to surrender for a single moment their privilege to fight and to die for the Union, and for the sovereignty of the old flag? It seems to me that in all the lessons of history, in all the inspiration of bravery and courage, nothing can surpass the resolution which filled their hearts when, day after day, they saw their comrades go nameless into unknown graves, rather than desert the Union which they had sworn to protect and to preserve. Ah, when I come to review the perils, the hardships, of the war, as I have done in many a patriotic moment, I never dreamed of the emotions which fill, crowd, and overcrowd my soul at this moment. I never knew that such a scene could be presented to the human eye. I have never looked upon anything so pathetic as these long lines of gleaming marble, each telling its story of a patriotic life and a faithful death. We cannot, however, ennoble them. It is for us to leave this beautiful, serene home of the dead, with still higher, with still nobler, with still more enduring resolutions that we of this

generation will exemplify in our lives, will exemplify in our devotion to the flag, the Union, and to humanity, the spirit which animated their faithful hearts. We do not understand the inscrutable mysteries of Providence; but we do know that we are commemorating another vicarious atonement, and it is well that our tears should fall here, consecrating its dear memories. The Republic of the United States had committed a mortal sin, and somewhere, somehow, in the plan of the Almighty, that sin must be expiated; and it was expiated here, when these men laid down their lives for the Union, as my friend the Chairman of the Commission has well said, not inspired and cheered by the music of martial strains, not led on by the shriek and storm of shot and shell, but in the misery and the suffering of cruelty and want. Ah! as I look upon that pathetic memorial, erected by my beloved State, there ring in my ears, through forty years of time, the echoes of the battle hymn of the Republic:

Mine eyes have seen the glory of the coming of the Lord;
He is trampling out the vintage where his grapes of wrath are stored;
He hath loosed the fateful lightning of his terrible swift sword,
For God is marching on.

And then, I think of the awful carnage of war. Three hundred and sixty thousand of our boys laid down their lives that we might stand here free citizens of the Republic. Have you ever thought of the wives who had shared the joys and sorrows of these immortal spirits, of the mothers who had borne them, of the maids who had loved them; have you ever attempted to measure the infinite sacrifice that the people of America made, just to see to it that not a single star in the azure field of Old Glory should ever fade away, and that no stain should ever again mar the pure colors of its beautiful folds?

And then, when I think of the scenes we are so sadly recalling, the battle hymn again comes to me:

He hath sounded forth the trumpet that shall never call retreat;
He is sifting out the hearts of men before his judgment seat.
Be swift, my soul, to answer him; be jubilant, my feet,
For his truth is marching on.

And it did march on, until it was crystallized in the glories of a peace which preserved to every citizen of the Republic the high dignities and the high privileges of independent manhood.

Mr. Chairman, speaking on behalf of the State of Iowa, speaking on behalf of all her people, I congratulate you most cordially upon the beauty of the work that you have done. There (pointing to the monument) kneels Iowa, weeping, suffering, grieving for the sons she lost. She rests upon a column of enduring granite, that so long as time shall last will speak to generations yet to come, not only of the fortitude and the courage of these boys who lie buried here and who endured over there (pointing to the stockade) but will make them know that republics are not ungrateful. It will no longer be said that the people of a free country do not fondly remember those who have died that truth might live.

I congratulate you upon the felicity of the design and upon the fidelity with which your Commission has performed its work, and speaking again for the people whom you have so well represented, I thank you for this offering laid upon the altar of our patriotism.

And now, General Carman, representing the Government of the United States, even as our Commission has placed this testimonial in my hands, I deliver it into yours, knowing that it passes into the keeping of a Government whose flag flies for all her citizens, without respect to condition in life, whether they be high or low, rich or poor, white or black. It flies for them all, and until freemen shall have lost the spirit that has animated the lovers of liberty in all the ages of the past, it will stream over this mansion of eternal rest, protecting and preserving this monument erected by the State of Iowa in loving memory of her beloved children who died in Andersonville.

Territory of Iowa }
(Case Bureau County) } The United States of America to
the Sheriff of said County Greeting
You are hereby commanded to take the body of
James F. Turner and him have forthwith before
the District Court of the County aforesaid to answer
a charge preferred against him by the Grand
Jury of said County at the present term of this
Court for the crime of disturbing the dead
human body not at your peril but of this
Court make legal service and due return
of your doings according to law
Witness the Hon Charles Mason Judge
of our said Court under the Seal of
said Court this 15th day of April
AD 1840
Loyd B. Hazlett Clerk DC

ANNALS OF IOWA.

EDITORIAL DEPARTMENT

HISTORICAL VALUE OF EARLY COURT FILES.

Original matter touching that part of Iowa history preceding the general introduction of the press is most elusive for the student. It is meagre, of varying value and scattered through reminiscences, personal letters, diaries, petitions to legislative and administrative authorities, resolutions and statutes, treaties and proclamations. The published reminiscences of the period are to some extent inaccurate and inharmonious. Personal letters and diaries are scarce and will become more so. Petitions forwarded to Territorial and National authorities are rare, and the bare language of our Indian treaties, statutes and proclamations, while more accessible and more familiar to the student, contain comparatively little of the affairs of the people. But the effectuation of the laws of that period, as of our own, was by the courts, and the interest and issues of persons and communities were perhaps more frequently recited in the pleadings and processes of these courts than in any other available source. Historically speaking there is a value in a statement filed under oath, giving names, dates, places and principles regardless of whether it was ever tried, appealed or published. The records and archives of the *nisi prius* courts first established over what is now Iowa soil are therefore rich in matter of interest to the student of that time. As illustrating this we present herewith three items from the files of a single one of the many earliest seats of justice in this State, namely, Van Buren. It will be noted that all were filed within the brief space of six months, and within a series of ninety cases.

File number 173 is endorsed: "United States vs. Chapley P. Ross, and others. Indictment for kidnapping. A true bill. (Signed) Lemuel G. Jackson, foreman. *Nol. E. P. Qui.* (bail) \$1,000 each. Exhibited and filed in open court August 14, 1839. (Signed) Frye B. Hazelton, clerk." We set out the first count verbatim, with the variations in the three others indicated.

Territory of Iowa, County of Van Buren, ss. District Court, August Term, A. D. 1839. The grand jurors on the part of the Territory aforesaid selected, tried, empanelled and sworn to inquire in and for the body of the county of Van Buren aforesaid on their oaths present that Chapley P. Ross, Robert Chapley Woodfork, Giles O. Sullivan and Benjamin B. Troop on the tenth day (3—on the day and year aforesaid. 4—date omitted) of January in the year of our Lord one thousand eight hundred and thirty-nine at Bentonsport in the county aforesaid did unlawfully kidnap a certain black man named Armsted with intent to send the said Armsted out of the Territory of Iowa into the State of Missouri. (2— . . . unlawfully and forcibly take a certain black man named Armsted away from his residence in said county with intent to send the said black man Armsted out of the territory. . . . 3— . . . unlawfully and forcibly take away a certain black man named Armsted and did then and there send the said black man named Armsted out of this Territory. . . . 4— . . . unlawfully and forcibly take away a certain black man named Armsted and did then and there carry the said Armsted out of the Territory of Iowa into the Territory of Missouri) against the peace and dignity of the United States of America and contrary to the form of the statute in such case made and provided.

(Signed.)

WILLIAM H. STARR,
District Prosecutor.

A second indictment against the same persons was returned on the *next day* in substantially the same words except there was inserted the very pregnant word *free* preceding each phrase *black man*.

File 180 is endorsed: "United States vs. George S. Wilson. Indictment for exercising an office in this territory without authority. (Signed) Lemuel G. Jackson, foreman. A true bill. Decided (*not prossed*) April, 1840. Exhibited and filed in open court August 15, 1839. Frye B. Hazelton, clerk. Bail, \$500." The indictment reads:

Territory of Iowa, Van Buren county, ss. District Court, August term, 1839. The grand jurors on the part of the Territory aforesaid selected, tried and empanelled and sworn to enquire in and for the body of the county of Van Buren aforesaid on their oaths present that George A. Wilson on the first day of July, in the year of our Lord one thousand eight hundred and thirty-nine in the county of Van Buren aforesaid did unlawfully officiate as county assessor within the limits of the county of Van Buren aforesaid and within the jurisdiction of this Territory by virtue of a commission not derived from this Territory or under the laws of this Territory or under the general government of the United States, but derived from the authorities of Missouri, against the peace and dignity of the United States of America and contrary to the form of the statute in such case made and provided. (Signed) William H. Starr, District Prosecutor. Found on the testimony of John Seaman, Samuel Newman, Henry Singleton, Charles Stott, Henry Smith, James Hall.

File 262 is endorsed: "The United States vs. James F. Turner. Indictment for disturbing dead. A true bill. (Signed) Martin A. Britton, foreman. Decided September, 1840. Found on the testimony of John Fairman, Cyrus H. Ober, Robert Moffit."¹

The indictment is as follows:

District Court, April Term, A. D. 1840.

The grand jurors on the part of the Territory aforesaid duly empanelled and sworn in and for said county, on their oaths present that James F. Turner of said county on or about the first day of November, A. D. 1839, in the county of Van Buren aforesaid, did unlawfully open the grave where the body of a deceased Indian named Black Hawk had been deposited and did then and there remove the remains of said Indian from said grave for anatomical purposes without the knowledge and without the consent of the relatives of said Black Hawk.

And the jurors aforesaid upon their oaths aforesaid do further present that the said James F. Turner, on or about the day and year last aforesaid in the county aforesaid, did unlawfully procure some person to the jurors unknown, to open the grave where the body of the said deceased Indian had been deposited, and to remove the remains of the said Black Hawk from said grave for anatomical purposes, without the knowledge or consent of the near relatives of said Black Hawk.

And the jurors aforesaid upon their oaths aforesaid do present that the said James F. Turner on or about the first day of November, A. D. 1839, at the Indian village in that part of the Indian country which had been and now is attached to the county of Van Buren for judicial purposes by act of the Congress of the United States in such case provided, did unlawfully open the grave where the body of a certain deceased Indian named Black Hawk had been deposited, and did then and there remove the remains of the said deceased Indian from the said grave for anatomical purposes without the knowledge or consent of the near relatives of said deceased Indian.

And the jurors aforesaid upon their oaths aforesaid do further present that the said James F. Turner on or about the first day of November, A. D. 1839, at the Indian village aforesaid, did unlawfully counsel some person to the jurors unknown in the opening of the grave where the body of a deceased Indian named Black Hawk had been deposited, and in removing the remains of said deceased Indian from said grave for anatomical purposes, without the knowledge or consent of the near relatives of said deceased Indian, against the peace and dignity of the United States of America and contrary to the form of the statute in such case made and provided.

(Signed)

WILLIAM H. STARR,
District Prosecutor.
E. R. H.

¹ A facsimile of the *capias* is the frontispiece of this article, and carries its own explanation. It is endorsed "Not found."

CONSIDERATIONS AGAINST THE ADMISSION OF
IOWA.

Gideon Smith Bailey emigrated from Indiana to what is now Iowa in 1837. He was a factor from his advent in the new country's affairs, and remained an element in the consideration of substantial men from whom he separated in his native State. Territorial Delegate A. C. Dodge recommended him to President Polk in 1845 for the Receivership of Public Moneys at Fairfield, but the recommendation was ignored and General Ver Plank Van Antwerp was appointed. It was on this occasion that Doctor Bailey was assured that he should be recommended for his choice of positions as United States Marshal or Governor of the Territory. Upon mature consideration Doctor Bailey chose the Marshalship, to which place he was appointed and in which he remained for several years. The Governorship was given to James Clarke, husband of Dodge's sister.

Doctor Bailey preserved for us a vast amount of original material relating to the events in which he figured, embracing his incumbency of the marshal's office, service in Territorial and State Legislatures, and a candidacy for Congress. There occur many valuable communications and lights on numerous important events. Nothing he preserved is of more interest perhaps than communications from Indiana associates interested in the Iowa situation in the days of agitation for admission. Arguments on the subject from political viewpoints, both local and national, have been amply treated. Practical business reasons of the people against the admission are nearly lost sight of, but one of the communications to Doctor Bailey given verbatim herewith discloses some of these.

E. R. H.

Bedford Ia. December 1st 1839.

Mr. G. S. Bailey Esq.

Dear Sir,

I recd. your favour of the 8th Augt. last, but it came while I was absent in the north of Indiana; I spent about 2 months there this fall trying to sell my lands there, preparatory to my removal to Iowa; but did not succeed except in part, and consequently cannot move till spring, when I hope to be able to go; business has called me from home a considerable part of the time since my return from the north,

and consequently I have neglected to write to you sooner, which negligence I hope you will excuse. I was much gratified at your success in the election in Augt. last, and much more so to see that you ran the highest poll.

I have read the Burlington paper in which the Governor's message & the organization of the Iowa Territorial Legislature is given, and I regret to see in said message a recommendation to memorialize Congress to pass a law authorizing Iowa to form a constitution and State government so soon.

I have no doubt but that you recollect how long it took Indiana to liquidate the debt she created by going into a State government too soon. While Iowa remains a Territory the Genl. Government pays all the Territorial expenses, which I consider a matter of much importance to the people at present, as they have no land taxable yet nor will have soon, and as so small a part of the lands of the Territory have been sold by the Genl. Government it will be many years before there will be any subject of *taxation* except personal property; consequently you will have nothing but personal property to tax, & but little of that if you tax it very high, (as you will be obliged to do if you make a state of the Tery. before the lands are taxable,) because the citizens will be likely to do with as little as possible if it is so taxed, and consequently retard the increase of wealth in the state, as well as in some degree check the immigration to it. And furthermore while it remains a Territory Congress will make appropriations for improvement of the roads and rivers; which they will cease to do the moment it becomes a State; and consequently all improvement will cease as the State will not be able & the U. S. will not be willing. I hope therefore that, Gov. Lucas's recommendation will not be complied with, as I can see no good reason why it should, as it will only gratify a few aspirants to office, and as I believe greatly retard the growth and prosperity of one of the fairest portions of this great country. I feel anxious to know how the question of the relocation of the seat of justice of Lee county is likely to be decided; you know why.

Please use your influence to prevent private interest from improperly controlling the public good; by having intelligent, honest and disinterested Commissioners to perform that duty.

Please write to me as soon as it may be convenient and as often as you may find leisure.

And believe me to be yours sincerely,

John Brown.

P. S. If a law should be passed to relocate the seat of justice of Lee county, please let me know as soon as possible who the Coms. are, when & where they are to meet and what are the genl. requisitions of the law.

J. B.

We are requested to state by Capt. J. C. Ainsworth, of the fast running steamer, Kentucky, that a celebration will come off at Davenport, on the 4th of July. The Kentucky will leave Montrose on the morning of the 3d. and arrive in Davenport in time for passengers to engage in the celebration of the day.—*Keokuk Register*, June 22, 1848.

IMPORTANT ACTS OF THE THIRTY-SECOND GENERAL ASSEMBLY.

Among the more important general provisions passed by the Thirty-second General Assembly, and most of which went into effect July 4, 1907, there should be named the following:

Chapter 48, for the government of cities of a population exceeding twenty-five thousand by commission, with provision for the initiative, referendum and recall, and for a civil service commission.

Chapter 50, requiring candidates for nomination by political parties to file sworn statements of disbursements made in furtherance of candidacies.

Chapter 51, providing for the nomination of party candidates, convention delegates, and the election of party committeemen by primary elections.

Chapter 71, providing against the issuing of capital stock of a corporation for pecuniary benefit for any consideration except its par value in money, unless the corporation shall first obtain leave of the Executive Council of the State; application for such leave must be accompanied by a statement of the amount of stock proposed to be issued and the property or other consideration proposed to be accepted in exchange therefor.

Chapter 73, preventing the contribution by corporations to the expense of political campaigns, or the solicitation of funds therefor from corporations.

Chapter 76, providing an Iowa standard fire insurance policy.

Chapter 79, providing against the incorporation of any insurance company for a smaller capital stock than one hundred thousand dollars actually paid up.

Chapter 86, providing against the admission of any fraternal beneficiary insurance company to do business in the State unless its assessment rates are at least equal to those approved by the national fraternal congress.

Chapter 102, classifying railroads by earnings of four thousand dollars and upwards per mile; three thousand and under four, and less than three thousand, and providing the

maximum legal passenger rate per mile for the respective classes to be two, two and one-half and three cents per mile.

Chapter 111, providing such a freight rate over connecting railroad lines between points within the State as would be the rate were the points on the same line.

Chapter 112, providing against the issuance of free transportation by common carriers.

Chapter 116, declaring express companies to be common carriers and empowering the Board of Railroad Commissioners to fix, regulate and enforce rates.

Chapter 147, establishing a State sanatorium for the treatment of tuberculosis.

Chapter 148, authorizing the State educational board to issue State certificates to teachers graduated from higher institutions of learning.

Chapter 149, empowering the validation by the State educational board of teachers' certificates issued by the departments of other states.

Chapter 160, defining warehousemen and authorizing and regulating the issuance, negotiation and transfer of warehouse receipts.

Chapter 161, preventing divorcees from marrying within one year from and except by permission granted in the decree or where the parties desire to re-marry.

Chapter 170, providing a penalty for the desertion of wife or children.

Chapters 176 to 180, inclusive, providing for pure drugs and pure food.

Chapter 192, establishing a board of parole and providing indeterminate sentences for crime.

Among the appropriation measures of most general interest are the following:

Chapter 221, for the compiling of a supplement to the Code of 1897 to embrace all laws subsequent thereto.

Chapter 223, providing for the compilation of a roster of all Iowa soldiers and sailors and marines in the war with Mexico, the Rebellion, Spanish-American, Philippine and border wars.

Chapter 226, providing for the placing of a statue of James Harlan in the national statuary hall.

EARLY AGRICULTURAL JOURNALISM.

One of the editorial ventures now almost forgotten is that of *The Western Farmer & Gardener* as it appeared with the head, "Indianapolis, Ind., edited by Henry Ward Beecher, Indianapolis, Edward J. Hooper, Cincinnati. S. V. B. Noel, Publisher and Printer." Under date of January 1, 1846, Indianapolis, Mr. Beecher editorially says:

The American Farmer, begun at Baltimore in 1819, was the first agricultural paper in the United States. It completed fifteen volumes and in 1834 was succeeded by the Farmer and Gardener, the original title from which there have been so many patronymics. These changes have been similarly acted over at the West. Mr. E. J. Hooper, we believe, issued one Volume of the Western Farmer in 1839. In 1840 the title was changed to Western Farmer and Gardener; and the paper was continued until the summer of 1845, when it was temporarily suspended on account of the health of its editor. The Indiana Farmer and Gardener was issued at the beginning of the year 1845. The name of the State was affixed, both to indicate its locality and to distinguish our paper from the paper at Baltimore and from the Western Farmer and Gardener, at Cincinnati. Another change has now been completed. Our friend, Mr. Hooper, has suddenly found himself in the lap of fortune; and his golden cares (strange cares for an editor!) have waxed apace and an arrangement has been made to unite the Indiana, and the Western Farmer and Gardener. The paper will be published in Indianapolis and issued simultaneously at Cincinnati and at Indianapolis.

Among interesting matters in this volume, which has reached the Historical Department, are contributions of Dr. J. T. Plummer, of Richmond, Ind., setting out the weather history of that locality from 1833; strictures against Mr. Beecher's spelling "acre" *a-k-c-r*, from many critics; an illustration of Cook's reaper, 1845; communications by Nicholas Longworth, Thomas K. Beecher and others on timely topics. A fact dealt with in exclamation by Mr. Beecher is that a single forwarding company had shipped from two Indiana counties, Decatur and Bartholomew, eighteen hundred dozen (21,600) quails which were netted during the winter of 1844, and that the next winter being dry, was still more favorable, though the wet season for nesting had probably caused fewer of the birds to come into the market.

THE WASHINGTON UNION says that by 1st July, the Post-office Department will be able to furnish the larger Postoffices with stamps for individuals who may wish to pay regularly in advance—thus giving them an opportunity of depositing their papers or letters in the box at any hour.—*Keokuk Register*, July 3, 1847.

NEW PUBLICATIONS.

Robert Lucas, by John C. Parish in the Iowa Biographical Series, edited by Professor Benjamin F. Shambaugh and published by the Iowa State Historical Society. pp. 356.

The author and editor have placed the State under lasting obligation by the presentation of this volume. The materials used are a large collection of private letters, happily preserved, extending over half a century, together with speeches, military orders and public records in Ohio, as well as in Iowa. The character of the work proves that these materials have been faithfully and intelligently used.

It would be difficult to select a man whose life more fitly and accurately represents and typifies the process of state-building in the Northwest. Born in Virginia in 1782, he begins public life in Ohio in 1803; an active member of the State militia previous to the war of 1812, he was a soldier throughout the war, holding the ranks of private, lieutenant, colonel, and brigadier-general. He was a candidate for Congress and was several times elected to the State Legislature, where he held the position of speaker in the upper House. Twice he was chosen Governor of Ohio. By a narrow margin he was defeated in his candidacy for the United States Senate at the close of his career as Governor in 1836. It was this disappointment in a cherished ambition which caused him to seek and obtain the position of Governor of the newly organized Territory of Iowa in 1837.

Robert Lucas was a member of the party of Jefferson and as such formed the habit of calling himself a Republican, a practice to which he adhered throughout his public career long after the name Democrat was generally substituted. He was chairman of the first national convention of his party held at Baltimore in 1832. Like Jefferson he was opposed to slavery and at the same time was opposed to the agitation of the subject. Yet when attention to the subject was forced upon the country by the events of the war with Mexico, Lucas with many other Democrats took the free-soil side and his last public act was to oppose the election of Franklin Pierce. To this end he allied himself with the Whig party in Iowa, and had he lived one year longer he would again have been a "Republican" in name. Thus in his own person he would have bridged over the gap between the Jeffersonian Republicanism and the new Republicanism which its enemies stigmatized as "black."

But Lucas was in many ways much closer to Jackson than to Jefferson. He strikingly resembled Jackson in personal appearance, in the set of his hair, in his orthography, and in many qualities of character. The stern, homely traits which contributed so much to the founding of civil institutions in the West were similar in the two men. It was natural that Lucas should be an ardent admirer and supporter of Jackson. His four years' tenure as Governor of Ohio coincides with the last four years of Jackson's Presidency. He supported the President in his opposition to nullification and to a national bank.

Robert Lucas's chief occupation and purpose in life was the service of the public in official and political relations. It would be difficult to name a life which more fittingly represents the elevating influence of politics during that stage of society when there was little surplus wealth and few vested interests. In the days of his youth Lucas was something of an anarchist. When the sheriff proposed to arrest him for reasons which he did not approve he resisted and so frightened the officer that he resigned. Another officer was appointed

and he also resigned. Finally; when officers were found with nerve enough to incarcerate the young culprit, he sought to stir up his friends to come to his rescue by means of a letter in which he described the officers of the law as "The dam raskels that mobbed me." These youthful conflicts laid the foundation for lifelong resentments which lent a personal zest to his political conflicts. Yet it is interesting to observe that the responsibilities of office overcame the spirit of anarchy and that through many trying positions Lucas exhibited remarkable judgment and self-control while strictly maintaining law and order. Political responsibility developed the true man.

Among the vices prevalent in the settlements of the West were intemperance and gambling. Lucas's father-in-law was a tavernkeeper, and, according to the customs of the day, a dispenser of intoxicants. Our future Governor had, therefore, abundant opportunities to familiarize himself with the evils associated with the business. As a supporter of the law he was habitually arrayed against intemperance and gambling. He identified himself with the early temperance movements in Ohio, and when he became Governor of the Territory of Iowa he was already a veteran in the cause. In his first message to the Legislature of the Territory he stigmatizes intemperance and gambling as the two vices which may be considered the source of almost all others. "They have produced more murders, robberies and individual distress than all other crimes put together. . . . Could you in your wisdom devise ways and means to check the progress of gambling and intemperance in the Territory, you will perform an act which would immortalize your names and entitle you to the gratitude of posterity." The Governor followed up this recommendation by declaring that he would not knowingly appoint to office one who was addicted to these practices. Iowa doubtless owes not a little to its first Governor for its continuous high moral stand in respect to temperance.

Equally significant and important is the relation of Governor Lucas to the cause of education. Having been himself deprived the benefits of school training, he was as Governor, both in Ohio and in Iowa, insistent in his demands for a liberal provision for a system of free public schools. This was indeed but the carrying into effect of the principles outlined in the ordinances for the government of the Northwest Territory; but had it not been for men like Lucas, who with persistence and determination insisted upon practical steps for the creation of a public school system, the provisions of the ordinance would have remained a dead letter.

Interesting episodes in the life of Governor Lucas are found in two notable boundary disputes between a State and a Territory of the United States. While he was Governor of Ohio the long-standing disagreement between the State and the Territory of Michigan assumed a belligerent form and was finally terminated by an act of Congress which involved the recognition of the State of Michigan. In this dispute Lucas upheld the dignity of the State against a resisting Territory. The controversy involved the district of the city of Toledo and a suitable lake harbor for the terminus of the Ohio canal. Ohio made good its claim and secured the city.

The dispute between the State of Missouri and the Territory of Iowa was strikingly similar in many of its details. In both cases the difference arose on account of inaccurate surveys and ambiguous language used in describing the boundaries of the State at the time of its admission to the Union. There was no serious conflict until years afterwards when the waste lands became occupied, and the two governments began to exercise authority over the same region. In 1838,

during the second year of Mr. Lucas's tenure as Governor of Iowa, the quarrel with Missouri assumed an acute form. It now became his duty to maintain the rights of a Territory against the claims of a State. In the case of Michigan the people of the Territory for a time repudiated the authority of the United States and set up an independent government of their own. Mr. Lucas was careful not to make this mistake. He secured the aid of the co-operation and authority of the general government at every stage in the excited controversy, so that the quarrel should at no time appear as an affair of the Territory, but rather as that of the United States itself. The Iowa dispute was not finally settled until a State government had displaced the Territorial organization and suit was brought in the Supreme Court of the United States. That court supported the claim of Iowa. In both disputes, therefore, our Governor made good his position.

It would be difficult to find a book which more aptly illustrates than does this one the close relation of history to biography. The history of the life of Robert Lucas involves the political history of the State of Ohio from the beginning of the century to 1837, and the history of Iowa to the middle of the century or to the death of Lucas in 1853. Every chapter is full of interest in that it adds the personal touch to the interesting and important facts entering into the process of state-building in the West.

Iowa College.

JESSE MACY.

A History of the County of Montgomery, from the Earliest Days to 1905. By W. W. Merritt, Sr. Published by the Express Publishing Company, Red Oak, Iowa. 1905.

Those who have in any way been interested in the history of localities in this State have doubtless learned something of the faulty character of most of our county histories. They have been extremely slipshod affairs, which few would purchase for their libraries. True, there are exceptions, but out of the entire number, the works of real merit may be counted on the fingers of one hand. A large part of many volumes is taken up with general history of some sort, having no reference to any particular county. This matter is used as a preface to all the volumes issued by one publishing house. The biographical matter, often accompanied by portraits of the local magnates, is usually compiled by illiterate fellows who are out of a job and are hired to procure answers to a certain set of questions because they will work for very low wages. A price is set upon each sketch and portrait and only those who pay liberally are thus honored. One of these peripatetic biographers once called upon Senator James Harlan with a proposition to immortalize him with a portrait and sketch of his life. "Do you propose to include Presley Saunders in your book?" queried the Senator. "No, Sir!" responded the biographer. "He is dead, and there seems to be no one to pay for these things." "Then," said the Senator, "please leave me out. I do not wish to appear in any history of Henry county which omits the name of Presley Saunders," and the biographer went his way. Presley Saunders was one of the earliest settlers and merchants of Henry county, a good man whose memory is revered by all the aged people of that region, and a brother of Alvin Saunders who was later on Governor and United States Senator from Nebraska. He was one of the most important factors in settling Henry county.

But a better day has arrived touching the qualities of Iowa county histories. This work on the rich and beautiful county of Montgomery

will take a high place in this department of our historical literature. Its author is Hon. W. W. Merritt, a man of education and ability, who has resided in that county nearly all the time since its organization. Of all the events which he has recorded he can well say, "All of which I saw, and part of which I was." He has been an active participant in building up the local institutions, churches and schools, and has been active at times in the politics of the county and of that part of Iowa. He is a man well known throughout the southwestern quarter of the State and enjoys the confidence of all who know him. His book, lately issued, records every local event of importance and shows the progress of the county from its earliest days to the present time. One of its attractive features is 100 fine half-tone portraits, every one of which is inserted as a matter of personal justice to the party represented. The familiar "graft" of securing pay for these portraits has been eliminated. The book was manufactured by the Express Publishing Company of Red Oak, which is noted throughout the United States for its fine calendar printing. While its patronage will to a large extent be local, it will be found necessarily to contain much historical, biographical and genealogical information relating to Iowa and the country at large. We feel that both the author and publishers are to be congratulated upon this advanced step in placing upon record in readable and attractive form the history of their county. The book is, however, sadly marred by its lack of an index. Otherwise, we can give it high commendation.

A LUCKY EDITOR.—Well, our turn has come at last; we always thought it would; we had faith; but were getting a little impatient for *sight* too. On Monday, July 27, who should come to see us but John Jessup, of Moresville, known to everybody in the town who eats cheese, and to sweeten an acquaintance he brought a box of honey—white as snow, containing some ten pounds! Ah, those Moresville farmers! they have the name of doing things up in the very best style, and we begin to believe it! If anybody else has proof to present, we are open to conviction. And now, speaking of honey, the transition to sugar is very natural; and we confess our fault in failing to notice a subscription which we received from James Spray of Bridgeport, last spring, of ten pounds of maple sugar of his own manufacture, which was the most beautiful we ever beheld, and our tongue certainly agreed with our eyes in the verdict.—Indianapolis, *Western Farmer & Gardener*, August 1, 1846.

NOTABLE DEATHS.

EDWIN HURD CONGER, born to Lorentus E. and Mary (Hurd) Conger, March 7, 1843, in Knox county, Illinois, was of the sixth generation after Reuben Conger, first of that name in America. Edwin H. took the public school course, then graduated from Lombard University, class of 1862. He enlisted almost immediately in Co. I, 102d Ill. Volunteer Infantry, became first lieutenant Sept. 2, 1862, and was promoted to the captaincy Oct. 12, 1863, won the brevet of major for "gallant and meritorious conduct on the field" and was mustered out with his regiment June 6, 1865. Graduating from the Albany Law School in 1866 he entered the practice at Galesburg where he continued until his purchase of and removal to a farm in Madison county, Iowa, in 1868. In 1874 he removed to Dexter, Dallas county, a few miles from his farm, and engaged in banking as successor to his father then lately deceased. Dallas county Republicans nominated him for County Treasurer in 1877, his election following, and a re-election in 1879. Iowa Republicans chose him as a candidate for State Treasurer in 1880, his election and a re-election following. The Seventh Iowa District, consisting then of Adair, Dallas, Guthrie, Madison, Marion, Polk and Warren counties, elected him over Judge W. H. McHenry to the 49th Congress, Speaker Carlisle appointing him on the Committee of Invalid Pensions. He was returned over W. L. Carpenter to the 50th and assigned to the Committee on Agriculture and to the 51st over Allen E. Morrison, Democrat, and J. A. Nash, Prohibitionist and labor candidate. Speaker Reed reassigned him to the Committee on Agriculture, and placed him on those of Banking and Currency and of Coinage, Weights and Measures. Successful advocacy of his bill for the prevention of adulteration of lard gained him great credit. President Harrison appointed Mr. Conger Minister to Brazil, where a successful service was interrupted by a change of administration, but after an engagement in business in Des Moines, during which time he was an Iowa elector at large to the St. Louis convention of 1896, President McKinley reappointed him to the post in Brazil, transferring him in 1898 to China. President Roosevelt advanced Mr. Conger to the embassy to Mexico in which post he completed his public service and resigned in October, 1905. Mr. Conger's diplomatic service was highly creditable throughout, was especially distinguished during the Brazilian revolution of 1893, and rose to international importance in the Chinese Boxer siege of 1900.

On the 22d of June, 1866, at Galesburg Mr. Conger was united in marriage with Miss Sarah J., a daughter of E. W. and Laura Pike. They became parents to a son and daughter, the latter, Laura V., wife of Lieutenant Buchan of the army, only surviving. Mr. Conger retired to private life in Pasadena, California, where Mrs. Conger now resides and where he died May 17, 1907, and was laid to rest. He was a Knight Templar, a member of the Loyal Legion and of the Military Order of the Dragon.

E. R. H.

THOMAS M. BOWEN, the pioneer of Iowa-born legislators and public officials, died at his home in Denver, Colo., Dec. 30, 1906. General Bowen was born in the county of "De Moin," Territory of Michigan, Oct. 26, 1835. The place is understood to be near the present city of Burlington, but before there was such a city, and even before an "Iowa" appeared on any map. A part of his schooling was at

the Iowa Wesleyan University at Mount Pleasant. He was admitted to the bar before he attained his majority. He was also elected to the House of Representatives before he was of age. Before the Legislature met, however, he was out of his minority; and in December, 1856, he took his seat in the 6th General Assembly, which was the last to meet at Iowa City. He represented the counties of Wayne and Decatur. A year or two after his Iowa legislative experience, he removed to Kansas. On the outbreak of hostilities against the Union, he went into the service as captain of Company F, in the First Nebraska Infantry. He subsequently recruited and commanded the Thirteenth Kansas regiment, continuing in the service until the end of the war; first, in the Army of the Frontier, and later in the Seventh Army Corps, at times commanding brigade and division. He was brevetted brigadier-general. After the war he remained in Arkansas for several years, and was a member of a convention that framed a constitution for the State, and presided in that convention. Later, Gen. Bowen was one of the justices of the Supreme Court of the State. In 1871 President Grant appointed him Governor of the Territory of Idaho, but he resigned before the close of that year. In 1873 he was a candidate for United States Senator from Arkansas, but Stephen W. Dorsey was his successful competitor. In January, 1875, he removed to Colorado. There, on the establishment of the State government, he was chosen District Judge, serving in that capacity for four years. In 1882 he was chosen a member of the Legislature of that State, and, while acting as such he was elected a Senator of the United States, in the room of Horace A. W. Tabor, who had been chosen to fill out the term of Henry M. Teller. Six years later he gave place to Edward O. Walcott. After that time he devoted his attention largely to the extensive mining interests in which he was concerned.—W. H. F.

EUGENE S. ELLSWORTH was born in Milwaukee county, Wis., Nov. 2, 1848; he died in Iowa Falls, Iowa, Feb. 15, 1907. He served in the civil war as a drummer boy in a Wisconsin company commanded by his father, Capt. Ellsworth. In 1863 he removed to Iowa Falls, Iowa, then more than fifty miles from the nearest railroad. He foresaw the possibilities of the State and began at once to aid in its development and growth. He built up an extensive real estate and loan business. When the Burlington, Cedar Rapids & Northern railroad was built, he organized a town lot company and was its manager for eight years, during which time an immense business was done in developing the country and founding towns along that line of railroad. He became president of the First National Bank of Iowa Falls, and a stockholder in two others. His last work was the building of the Des Moines, Iowa Falls & Northern. His benefactions to Iowa Falls have been many and have been directed toward the building of an opera house, the Ellsworth Hospital, a Carnegie Library building, Ellsworth College and a fine city park system. Through his great energy and rare business capacity he accumulated a large fortune which he was investing in schemes for the benefit of the people. His death is a sad loss to his town and to the State at large.

SIMEON S. DANIELS was born in Post Mills, Vt., May 27, 1822; he died at Mount Pleasant, Iowa, Feb. 6, 1907. He came with his parents to Oberlin, Ohio, in 1834. Here young Daniels grew to manhood and was educated in the college which has since become one of the notable educational institutions in this country. He studied law in

Medina, Ohio, and was admitted to the bar in 1848. He removed to Tipton, Iowa, in 1850, residing there nineteen years. In 1857 he became proprietor of *The Tipton Advertiser*, which he published until 1863. Under his administration *The Advertiser* became one of the most widely known country weeklies of this State. During the session of the Legislature of 1860 that portion of the House Journal in which the election of State Printer was made a matter of record was stolen. In a purely accidental way Mr. Daniels was instrumental in bringing this theft to light. There was no general investigation of the matter, but the Journal was quietly restored by authority of the House from the rough notes kept by the clerk, and nothing serious resulted. He retired from *The Advertiser* after conducting the paper six years, and settled in Mount Pleasant, where he resided up to the time of his death at the ripe age of 85 years. He had held several positions of honor and trust and was widely and favorably known.

GEORGE FRANKLIN WRIGHT was born in Warren, Washington county, Vt., Dec. 5, 1833; he died in Council Bluffs, Dec. 13, 1906. He was reared on a farm and received his education at West Randolph, Vt., where the late Judge Austin Adams was his tutor. In 1855 he came to Iowa and commenced the study of the law with the firm of Wright, Knapp & Caldwell in Keosauqua. In 1857 he was admitted to the bar and began practicing under the firm name, Knapp, Caldwell & Wright. In 1861 he helped raise a company of volunteers and was elected first lieutenant. Business demanding his return to Keosauqua, he raised a company of militia and was elected captain. The organization was in active service in protecting the Iowa border. In 1868 Mr. Wright removed to Council Bluffs and formed a law partnership with Judge Caleb Baldwin. Aside from his profession he was interested in many business enterprises. He was president of the first street railway company; helped to organize companies for the manufacture of coal illuminating gas in various Iowa towns, and organized the Omaha and Council Bluffs Railway & Bridge Co. He served in the Senate in the 16th, 17th, 18th and 19th General Assemblies, being a member of the judiciary committee.

HIRAM SCHOFIELD was born in Hadley, Saratoga county, N. Y.; he died in Seattle, Wash., Dec. 30, 1906. He graduated from Union College, Schenectady, in 1853, and from the law school at Albany in 1856. In 1857 he removed to Washington, Iowa, where he practiced his profession and became one of the best known lawyers in southeastern Iowa. His military career was a brilliant one. At the outbreak of the civil war he enlisted in the 2d Iowa Infantry. He participated in many engagements, including the battles of Fort Donelson, Shiloh, and the siege of Corinth. He was promoted to first lieutenant and later served as assistant adjutant-general on the staffs of Generals Lauman and McCarthy. He was then made colonel of the 8th Louisiana colored infantry, and subsequently commanded a brigade. He was brevetted brigadier-general at the close of the war. In 1868 he was chosen a presidential elector on the Republican ticket. He was a collector of rare books and left one of the largest private libraries in the State.

SAMUEL LUCIUS BESTOW was born at Williamsville, N. Y., March 8, 1823; he died in Chariton, Iowa, Jan. 10, 1907. In 1869 he came to Lucas county and purchased a farm, where he resided until a few

years ago, when he removed to Chariton. He represented Lucas and Clarke counties in the Senate during the 16th and 17th General Assemblies, elected as a Republican. Later he affiliated with the Democratic party. He was their candidate for lieutenant-governor in 1889, but was defeated; in 1891 he was again on the ticket and was elected, serving with Governor Boies during his second term, and presiding over the Senate of the 24th General Assembly.

WILLIAM B. PERRIN was born near Montpelier, Vt., Jan. 19, 1839; he died in Nashua, Iowa, May 10, 1907. He received his education in the Barre, Vt., Academy, Dartmouth College and the Albany Law School. At the outbreak of the civil war he enlisted and served throughout the war, first in Co. B, 7th Squadron R. I. Cavalry; later as lieutenant in the 3d Vermont Light Artillery. In the fall of 1867 he removed to Iowa. In 1868 he located in Nashua and engaged in the practice of his profession—the law. During his thirty-nine years residence in Nashua he had served as councilman, mayor, city attorney, member of the school and library boards, and in various other offices. He was a member of the House of Representatives in the 17th and 18th General Assemblies and in the State Senate during the 25th, 26th, 27th and 28th.

CHARLES LINDERMAN was born near Bloomingburg, N. Y., Feb. 4, 1829; he died in Clarinda, Iowa, April 15, 1907. He was graduated from Hamilton College, N. Y., in 1854. In 1855 he came to Scott county, Iowa; after a few months spent in Nebraska, where he helped establish the sixth principal meridian, he returned to Iowa. In 1859 he settled in Clarinda where he resided over 48 years. In 1863 he enlisted in Co. A, 8th Iowa Cavalry and was elected second lieutenant of the company. He was a member of the House of Representatives in the 11th and 24th General Assemblies. For eight years he served as Clerk of the Supreme Court of Iowa. Since 1875 he had been connected with the banking interests of Clarinda. He was a prominent Mason and a member of the Loyal Legion.

THEODOSIA BURR HALL SHEPHERD, daughter of Judge Augustus Hall, was born in Keosauqua, Iowa, Oct. 14, 1845; she died in Ventura, Cal., Sept. 6, 1906. Her girlhood and the early years of her married life were spent in Iowa. In 1873 she removed with her husband to California, where she became famous as a horticulturist. She was from youth interested in outdoor life and especially in flower culture, and from a small beginning she became the originator of many rare flowers and plants, and her great flower garden became noted throughout the world. Her work has been compared with Luther Burbank's and in flower work it doubtless exceeded his.

MARY CATHERINE CHRISTY (Mrs. John M. Davis) was born in Warrenton, Ohio, April 12, 1839; she died in Des Moines, Iowa, Feb. 24, 1907. In April, 1843, she removed with her parents to Wapello, Louisa county, Iowa. She was finely educated and taught in the public schools in Iowa City, and afterwards in the institution for the education of the blind in that place. In 1860 she was married and came with her husband (who superintended the moving of the State Capitol from Iowa City) to Des Moines. She had resided for nearly forty-seven years at the old home on East Court avenue.

CHARLES H. TALMADGE was born in Gerard, Erie county, Pa., Oct. 10, 1842; he died in West Union, Iowa, May 2, 1907. In 1850 his family moved to Illinois and in 1856 came to Iowa, locating in Mitchell county. In 1857 he entered the printing office of *The Mitchell Republican*; subsequently he worked on several other papers. In 1861 he was among the first volunteers to form a company in Mitchell county. He became a member of Co. I, 3d Iowa Infantry. For the past forty years he had been editor and proprietor of *The West Union Gazette*.

IRA E. DRAPER was born in Marion county, Ind., Jan. 4, 1834; he died in Des Moines, Iowa, Jan. 18, 1907. He removed to Jasper county, Iowa, in the fifties, and engaged in business at Vandalia. From 1860 to 1871 he was postmaster of that place, and for a time published *The Vandalia Visitor*. He later engaged in the banking business in Prairie City, and became a large landowner. He served as a member of the House of Representatives in the 14th General Assembly.

HENRY L. HUFF was born in Cumberland county, Pa., Jan. 29, 1829; he died in Eldora, Iowa, June 9, 1907. He came to Iowa in December, 1853, and in 1855 settled in Hardin county, where for over fifty years he was engaged in the practice of the law. He had served as prosecuting attorney, county judge, and county attorney. In 1880 he was a delegate to the National Republican Convention which nominated Garfield for President; he was a member of the Iowa House of Representatives in 13th General Assembly.

ROBERT ALLEN was born in Antrim county, Ireland, Jan. 23, 1817; he died in Franklin township, near Burlington, Iowa, Jan. 18, 1907. When an infant his parents came to America, locating at Cincinnati, Ohio. In 1839 he removed to Des Moines county, bought a large tract of land, which has since 1844 been his home, and which he turned into a productive farm. In 1852 he was elected justice of the peace and for many succeeding years served in that capacity. He was a member of the House of Representatives in the 12th General Assembly.

JOHN A. RIGGEN was born in Knox county, Ill., Oct. 29, 1841; he died in Siloam Springs, Ark., May 12, 1907. He settled in Missouri in 1859 and there began the practice of medicine in 1869. In 1879 he removed to Iowa, locating eventually in What Cheer. He served throughout the civil war in the 18th Missouri Volunteer Infantry, being mustered out as first lieutenant. He represented Keokuk and Poweshiek counties in the Senate of the 25th and 26th General Assemblies.

JOHN C. DONAHEY was born in Harrison county, Ohio, Nov. 2, 1832; he died in Newton, Iowa, March 26, 1907. In 1866 he removed to Muscatine, Iowa; in 1883 he settled on a farm in Jasper county, and in 1892 became a resident of Newton. He had served six years as a member of the Board of Supervisors. He was also a member of the House of Representatives in the 19th General Assembly.

WELCOME MOWRY was born in Putnam county, Ill., April 3, 1842; he died while temporarily at Excelsior Springs, Mo., April 15, 1907. He served in Co. D, 7th Kan. Infantry, and Co. F, 151st Ill. Infantry during the civil war and was in many of the most noted engagements.

In 1867 he came to Iowa and settled on the farm in Tama county, where he had since resided. He was a member of the 20th General Assembly, and of the State Railroad Commission, 1899-1901.

WILLIAM A. FOSTER was born on a farm near Davenport, Iowa, July 24, 1842; he died in that city May 25, 1907. His parents, Asa and Cora (Wray) Foster, settled in Scott county in 1838. Mr. Foster was admitted to the bar in 1866 and rapidly rose to the front ranks of his profession. He was a brilliant orator and gained a national reputation as a criminal attorney. He was a member of the Iowa State Senate in the 17th and 18th General Assemblies.

JAMES HENRY BARNETT was born in New Market, Shenandoah county, Va., Oct. 8, 1835; he died in Indianola, Iowa, Dec. 28, 1906. He had resided in the vicinity of Indianola since 1845. When the civil war broke out he was a student in Simpson College. He enlisted in the 48th Iowa Infantry and served for two years. He was a breeder of fine horses. He served in the State Senate during the 22d and 23d General Assemblies.

LOUIS M. JAEGER was born in Burlington, Iowa, Sept. 23, 1858; he died in that city May 12, 1907. He was a cigarmaker by trade and was prominent in labor circles, having served a term as vice-president of the Iowa State Federation of Labor. He was a member of the House of Representatives in the 27th, 28th and 29th General Assemblies.

SAMUEL T. SPANGLER was born in Maryland, June 11, 1829; he died in Buchanan county, Iowa, April 29, 1907. In the spring of 1857 he came to Iowa and purchased the land which had since been his home. He was an extensive stock raiser and landowner. He was a member of the 15th General Assembly, and was later a candidate for Congress on the Greenback ticket.

JOHN W. WHITE was born in North Dighton, Mass., April 7, 1824; he died in Portland, Ore., May 14, 1907. In 1838 he came with his parents to Iowa, settling in Burlington, where he grew to manhood and was for many years in business. About 20 years ago he removed to Oregon. He leaves one brother, Dr. Charles A. White, the well-known scientist of Washington, D. C.

JAMES MCALEER was born at Holy Cross, Dubuque county, Iowa, Feb. 14, 1872; he died in Cedar Rapids, March 28, 1907. He had spent his entire life in Iowa engaged in farming and teaching. At the time of his death he was living in Independence. He represented Dubuque county in the 28th General Assembly.

OLIVER E. DOUBLEDAY was born in Tippecanoe county, Indiana, Feb. 22, 1831; he died on his farm near Des Moines, April 7, 1907. He came to Polk county in 1854 and has since resided here. He was a member of the 25th and 26th General Assemblies.



From a miniature on ivory in possession of the family.

Yours very affectionately

Edwin James